

**THURSDAY, FEBRUARY 17, 2011**

**SEVENTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Dr. Stan Vespie of Tom's Creek Baptist Church in Linden, Tennessee, a guest of Senator Herron.

**PLEDGE OF ALLEGIANCE**

Senator Herron led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

**COMMUNICATION**

February 17, 2011

The Honorable Ron Ramsey  
Lieutenant Governor of Tennessee  
301 Sixth Avenue North  
Suite 1, Legislative Plaza  
Nashville, TN 37243

Dear Mr. Speaker:

I respectfully request permission to be excused from the Senate Session today, February 17, 2011, due to the death of my grandfather.

Thank you for your consideration of this request.

Sincerely yours,

/s/ Brian Kelsey

APPROVED: Lieutenant Governor  
Ron Ramsey

**STANDING COMMITTEE REPORTS**

**EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 113 with amendment.

GRESHAM, Chairperson  
February 16, 2011

The Speaker announced that he had referred Senate Bill No. 113 with amendment to the Committee on Calendar.

**GENERAL WELFARE, HEALTH AND HUMAN RESOURCES**

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend that Senate Bill No. 65 with amendment be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson  
February 16, 2011

The Speaker announced that he had referred Senate Bill No. 65 with amendment to the Committee on Finance, Ways and Means.

**TRANSPORTATION**

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend that Senate Bills Nos. 57, 58, 60, 63, 66, 239, 253, 315 and 334 be referred to Committee on Finance, Ways and Means.

TRACY, Chairperson  
February 16, 2011

The Speaker announced that he had referred Senate Bills Nos. 57, 58, 60, 63, 66, 239, 253, 315 and 334 to the Committee on Finance, Ways and Means.

**GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 141, 144, 145, 179 and 237.

WATSON, Chairperson  
February 16, 2011

The Speaker announced that he had referred Senate Bills Nos. 141, 144, 145, 179 and 237 to the Committee on Calendar.

**MOTION**

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 88**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 88** by Senator Norris.

General Assembly, Recess & Reconvene -- Recesses general assembly for Presidents' Day holiday from Thursday, February 17, 2011, until Wednesday, February 23, 2011.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 88** was adopted.

A motion to reconsider was tabled.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 891 through 1280** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILLS**

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 891** by Senator Woodson.

Mobile Homes and Manufactured Buildings -- As introduced, abolishes monitoring inspection fee levied on manufactured home manufacturers. Amends TCA Title 55 and Title 68, Chapter 126.

**Senate Bill No. 892** by Senator Johnson.

Charitable Institutions -- As introduced, revises various provisions of the Charitable Gift Annuities Exemption Act. Amends TCA Title 56, Chapter 52.

**Senate Bill No. 893** by Senator Watson.

Teachers, Principals and School Personnel -- As introduced, protects a teacher from discipline for teaching scientific subjects in an objective manner. Amends TCA Title 49, Chapter 6, Part 10.

**Senate Bill No. 894** by Senator Watson.

University of Tennessee -- As introduced, authorizes the University of Tennessee to enter into certain agreements with foundations that support the university or one of its campuses. Amends TCA Title 49, Chapter 9, Part 1.

**Senate Bill No. 895** by Senator Watson.

Sunset Laws -- As introduced, recreates the judicial council; revises provisions governing legislative oversight of council. Amends TCA Title 4, Chapter 29 and Title 16, Chapter 21, Part 1.

**Senate Bill No. 896** by Senator Watson.

Professions and Occupations -- As introduced, requires criminal background checks on persons seeking renewal of locksmith licenses; exempts locksmiths with 10 years experience from continuing education requirements; sets license renewal fee at not less than \$200. Amends TCA Title 62, Chapter 11, Part 1.

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### **Senate Bill No. 897** by Senator Watson.

Finance and Administration, Dept. of -- As introduced, prohibits the transfer of funds to the general fund from the Department of Health, health-related boards fund, and from commerce and insurance, division of regulatory boards fund. Amends TCA Title 4, Chapter 3, Part 10.

### **Senate Bill No. 898** by Senator Watson.

Finance and Administration, Dept. of -- As introduced, removes department's authority to transfer funds from the health-related boards fund and division of regulatory boards fund to any other department or agency of state government. Amends TCA Section 4-3-1016; Section 56-1-310 and Section 63-1-137.

### **Senate Bill No. 899** by Senator Watson.

Mining and Quarrying -- As introduced, subjects the act of rock harvesting to the current permitting process for minerals; grants surface landowners and operators the option of entering into their own agreements to harvest rock without having to meet statutorily-enforced reclamation plans or permitting requirements. Amends TCA Title 59, Chapter 8, Part 2; Section 66-5-102 and Section 67-5-804.

### **Senate Bill No. 900** by Senator Watson.

Mining and Quarrying -- As introduced, subjects the act of rock harvesting to the current permitting process for minerals; grants surface landowners and operators the option of entering into their own agreements to harvest rock without having to meet statutorily-enforced reclamation plans or permitting requirements. Amends TCA Title 59, Chapter 8, Part 2 and Section 66-5-102.

### **Senate Bill No. 901** by Senator Watson.

Medical Occupations -- As introduced, prohibits any board under the division of health-related boards from issuing or renewing a license to a health care professional or applicant who might engage in direct patient care when that professional or applicant has been convicted of a felony. Amends TCA Title 33; Title 63 and Title 68.

### **Senate Bill No. 902** by Senator Watson.

Revenue, Dept. of -- As introduced, requires letter rulings and revenue rulings issued by the Commissioner of Revenue to be open to the public. Amends TCA Title 67, Chapter 1 and Title 67, Chapter 4.

### **Senate Bill No. 903** by Senator Watson.

Computers and Electronic Processing -- As introduced, excludes from sales and use tax certain information technology services. Amends TCA Title 67, Chapter 6.

### **Senate Bill No. 904** by Senator Watson.

Codes -- As introduced, places all responsibility for building standards and fire safety inspections on business occupancies and places of assembly in buildings less than three stories in height with certain local jurisdictions who have been approved by the state fire marshal to enforce codes inspections. Amends TCA Title 68, Chapter 120, Part 1.

### **Senate Bill No. 905** by Senator Watson.

Local Education Agencies -- As introduced, states that all local education agency employees in positions for which no teaching license is required shall be hired on an at-will basis. Amends TCA Section 49-2-301.

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### **Senate Bill No. 906** by Senator Watson.

Civil Procedure -- As introduced, authorizes certain electronically published newspapers to be used for legal notices. Amends TCA Section 1-3-105; Title 30, Chapter 2 and Title 67, Chapter 5.

### **Senate Bill No. 907** by Senator Overbey.

Sentencing -- As introduced, adds to definition of first degree murder the killing of another while committing domestic abuse against victim where defendant has pattern of domestic abuse against victim or another family member. Amends TCA Title 39, Chapter 13, Part 2.

### **Senate Bill No. 908** by Senator Overbey.

Sentencing -- As introduced, elevates killing of another while committing aggravated assault against a victim who has an order of protection or restraining order against the defendant to first degree murder under felony murder provision of first degree murder statute. Amends TCA Title 39, Chapter 13, Part 2.

### **Senate Bill No. 909** by Senator Overbey.

Health, Dept. of -- As introduced, requires that 50% of funds expended for in-home visitation programs be expended on evidence-based programs for the fiscal year 2011-2012 and 75% for each year thereafter and specifies research methods that show a program is evidence-based. Amends TCA Title 68, Chapter 1, Part 1.

### **Senate Bill No. 910** by Senator Overbey.

Tobacco, Tobacco Products -- As introduced, prohibits sale of electronic cigarettes to minors; prohibits distribution and sale of nicotine delivery products or devices that have not been approved by FDA as tobacco use cessation products. Amends TCA Title 39, Chapter 17, Part 15 and Title 39, Chapter 17, Part 1.

### **Senate Bill No. 911** by Senator Overbey.

Taxes, Exemption and Credits -- As introduced, shortens time period from 180 days to 150 days following close of fiscal year within which TNInvestco must submit annual audit to ECD. Amends TCA Title 4, Chapter 28, Part 1.

### **Senate Bill No. 912** by Senator Overbey.

Education -- As introduced, requires that State Board of Education mandate revisions to financial literacy education, including as component on certain achievement tests, after recommendations made by financial literacy commission. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 7, Part 31.

### **Senate Bill No. 913** by Senator Overbey.

Taxes -- As introduced, increases the late application fee, accompanying a late application responding to a notice of disqualification, from \$50.00 to \$75.00. Amends TCA Title 67.

### **Senate Bill No. 914** by Senator Overbey.

Financial Responsibility Law -- As introduced, gives judge the discretion to dismiss a charge of failure to provide proof of financial responsibility if the person did not have such proof at the time of the charge but submitted satisfactory proof at time of court date that financial responsibility was obtained. Amends TCA Title 55, Chapter 12, Part 1.

### **Senate Bill No. 915** by Senator Overbey.

Real Estate Agents and Brokers -- As introduced, exempts certain vacation lodging businesses from regulation by Tennessee Real Estate Commission. Amends TCA Section 62-13-104.

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### **Senate Bill No. 916** by Senator Overbey.

Real Estate Agents and Brokers -- As introduced, prohibits advertising requirements on certain vacation lodging service firms. Amends TCA Title 62.

### **Senate Bill No. 917** by Senator Overbey.

Taxes, Tobacco, Tobacco Products -- As introduced, increases from 10 percent to 15 percent the amount of proceeds from sales of seized contraband tobacco products that are set aside for administration of the tobacco tax law beginning January 1, 2012. Amends TCA Title 67, Chapter 4, Part 10.

### **Senate Bill No. 918** by Senator Overbey.

Pensions and Retirement Benefits -- As introduced, directs the board of trustees of the TCRS to authorize a preference for investing in venture capital and private equity funds that are Tennessee-based or having presence in this state, to the extent deemed prudent and financially sound. Amends TCA Title 8, Chapter 37, Part 1.

### **Senate Bill No. 919** by Senator Overbey.

Children -- As introduced, enacts the "Access to Pediatric Rare Disease Treatment Information Act". Amends TCA Title 68.

### **Senate Bill No. 920** by Senator Beavers.

Victims' Rights -- As introduced, clarifies TCA citation for definition of "relative" in the Criminal Injuries Compensation Act. Amends TCA Title 29, Chapter 13, Part 1; Title 29, Chapter 13, Part 3; Section 40-24-107 and Section 67-4-606.

### **Senate Bill No. 921** by Senator Beavers.

Consumer Protection -- As introduced, enacts the "Consumer Civil Litigation Funding Act". Amends TCA Title 47.

### **Senate Bill No. 922** by Senator Beavers.

Election Laws -- As introduced, eliminates early voting period for a municipal election in a municipality having a population of 5,000 or less, if there is no opposition for any office in the election and the election is held on a date which does not coincide with the August or November general election unless the municipality files a request with the County Election Commission for the early voting period to apply. Amends TCA Title 2, Chapter 6.

### **Senate Bill No. 923** by Senator Beavers.

Election Laws -- As introduced, lowers the early voting period to seven days instead of five prior to an election and, except for years in which a presidential election is held, lessens the total number of days to not more than 10 nor less than seven days for counties having a population of 20,500 or less. Amends TCA Title 2, Chapter 6.

### **Senate Bill No. 924** by Senator Norris.

Insurance, Health, Accident -- As introduced, revises certain provisions concerning payment of claims to non-governmental, nonprofit healthcare research institutions. Amends TCA Title 56, Chapter 7, Part 23.

### **Senate Bill No. 925** by Senator Norris.

Boards and Commissions -- As introduced, deletes an outdated provision related to the commission for uniform legislation; decreases from 35 to 30 years old the age requirement for serving on the board of examiners for land surveyors.

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### **Senate Bill No. 926** by Senator Norris.

Public Funds and Financing -- As introduced, makes certain revisions to the basis for determining the estimated rate of growth of the state's economy. Amends TCA Title 9, Chapter 4, Part 52.

### **Senate Bill No. 927** by Senator Norris.

Appropriations -- As introduced, makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2011 session of the 107th General Assembly.

### **Senate Bill No. 928** by Senator Norris.

Taxes, Sales -- As introduced, reduces from 90 to 75 days period in which a dealer via a signed statement can deduct on a return sales tax collected but not yet remitted to commissioner for refunded items. Amends TCA Title 2; Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 11; Title 12; Title 13; Title 16; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 51; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71.

### **Senate Bill No. 929** by Senator Norris.

Election Laws -- As introduced, changes date of presidential preference primary from February to March and the qualifying deadline to the second Thursday in December. Amends TCA Section 2-13-205 and Section 2-5-101.

### **Senate Bill No. 930** by Senator Norris.

Alcoholic Beverages -- As introduced, authorizes the city of Goodlettsville to conduct a referendum for the sale of alcoholic beverages at retail package stores only in that portion of the city located in Sumner County without affecting the sale of such beverages in Davidson County. Amends TCA Title 57, Chapter 3, Part 1.

### **Senate Bill No. 931** by Senator Norris.

Statutes and Codification -- As introduced, authorizes the Tennessee Code Commission to make stylistic, nonsubstantive changes when codifying acts of the general assembly, so long as such changes are consistent with style guidelines adopted by the commission and submitted to the Senate and House Judiciary Committees. Amends TCA Section 1-1-108.

### **Senate Bill No. 932** by Senator Norris.

Workers' Compensation -- As introduced, makes various revisions to the workers' compensation law. Amends TCA Title 50, Chapter 2; Title 50, Chapter 6 and Title 50, Chapter 7.

### **Senate Bill No. 933** by Senator Norris.

Business and Commerce -- As introduced, provides that service performed by persons providing services as leased-operators or owner-operators of motor vehicles under contract to common carriers doing interstate business while engaged in interstate commerce is excluded service for purposes of employment and wage regulations. Amends TCA Section 50-7-207 and Title 50, Chapter 2, Part 1.

### **Senate Bill No. 934** by Senator Norris.

Employees, Employers -- As introduced, requires employers receiving a Tennessee job skills grant filing a final report with the Department of Economic and Community Development to report the outcome measurements for the project and the actual cost per person enrolled, trained, hired, and retained in employment in addition to other presently required information. Amends TCA Title 50.

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### **Senate Bill No. 935** by Senator Norris.

Election Laws -- As introduced, creates criteria to enable a minor party to be recognized; permits name of candidate for such party to be listed under the appropriate column for a recognized minor party. Amends TCA Title 2, Chapter 1, Part 1; Title 2, Chapter 13, Part 1; Title 2, Chapter 13, Part 2 and Title 2, Chapter 5, Part 2.

### **Senate Bill No. 936** by Senator Faulk.

Transportation, Dept. of -- As introduced, designates, for purposes of TDOT providing for relocation of certain public utilities in public right-of-way, that chief engineer shall serve as liaison between utility and contractor. Amends TCA Title 54, Chapter 5, Part 8.

### **Senate Bill No. 937** by Senator Faulk.

Game and Fish Laws -- As introduced, deletes prohibition against using bait, including grain and other ingredients, used as or for food purposes, to capture or kill protected birds or animals. Amends TCA Title 70, Chapter 4, Part 1.

### **Senate Bill No. 938** by Senator Kelsey.

Tort Liability and Reform -- As introduced, enacts various provisions relative to tort reform. Amends TCA Title 4; Title 8; Title 20; Title 22; Title 24; Title 28; Title 29; Title 47; Title 50; Title 63 and Title 68.

### **Senate Bill No. 939** by Senator Kelsey.

Employees, Employers -- As introduced, enacts uniform standards regarding claims of prohibited employment actions. Amends TCA Title 4; Title 8 and Title 50.

### **Senate Bill No. 940** by Senator Kelsey.

Civil Procedure -- As introduced, establishes a framework for the consideration of evidence offered during all stages of the proceedings in employment discrimination and retaliation cases. Amends TCA Title 4 and Title 50.

### **Senate Bill No. 941** by Senator Kelsey.

Public Utilities -- As introduced, requires all public utilities to allow telecommunications service providers and cable operators to make pole attachments subject to reasonable fees. Amends TCA Title 65, Chapter 21, Part 1.

### **Senate Bill No. 942** by Senators Overbey and Faulk.

Taxes, Exemption and Credits -- As introduced, authorizes a credit against income taxes for any taxpayer in the amount of taxes paid on dividends from stock in Tennessee businesses. Amends TCA Title 67, Chapter 2, Part 1.

### **Senate Bill No. 943** by Senator Southerland.

Estates -- As introduced, revises various provisions relative to administration of estates in Greene County. Amends TCA Title 18; Title 30; Title 31 and Title 32.

### **Senate Bill No. 944** by Senator Southerland.

Naming and Designating -- As introduced, designates welcome center at Exit 9 on Interstate 26 in Unicoi County as the "Zane Whitson Welcome Center".

### **Senate Bill No. 945** by Senator Southerland.

Boats, Boating -- As introduced, increases from 30 to 45 days the period of time in which a person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. Amends TCA Title 69.



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### **Senate Bill No. 946** by Senator Southerland.

Gas, Petroleum Products, Volatile Oils -- As introduced, increases from 10 to 20 days the time period in which a supervisor may grant or deny a mineral test hole permit. Amends TCA Title 60.

### **Senate Bill No. 947** by Senator Southerland.

Mining and Quarrying -- As introduced, increases from 90 to 100 days the time period in which backfilling, grading, top soiling, and planting of cover crops is required. Amends TCA Title 59.

### **Senate Bill No. 948** by Senator Southerland.

Parks, Natural Areas Preservation -- As introduced, increases from two to three years time after designation into the system that the Commissioner of Environment and Conservation have completed a comprehensive plan of development and protection and begun the process of acquisition. Amends TCA Title 11.

### **Senate Bill No. 949** by Senator Southerland.

Wildlife Resources Commission -- As introduced, requires funds deposited into the wildlife resources fund from the sale of new specialty earmarked license plates to be used in accordance with the provisions authorizing issuance of such plates. Amends TCA Title 70.

### **Senate Bill No. 950** by Senator Yager.

Election Laws -- As introduced, authorizes the coordinator of elections to audit the County Election Commission in the administration of election laws; gives the coordinator certain powers in conducting an investigation or an audit. Amends TCA Section 2-11-202.

### **Senate Bill No. 951** by Senator Yager.

Election Laws -- As introduced, expands where a person may go to early vote to include another polling place appropriately designated by the County Election Commission in addition to the County Election Commission office. Amends TCA Title 2, Chapter 6, Part 1.

### **Senate Bill No. 952** by Senator Yager.

Election Laws -- As introduced, places limitations on the hiring of certain relatives by County Election Commissions and administrators of elections. Amends TCA Section 2-12-201 and Section 2-9-103.

### **Senate Bill No. 953** by Senator Yager.

Election Laws -- As introduced, revises the definition of election official. Amends TCA Section 2-1-104.

### **Senate Bill No. 954** by Senator Yager.

Election Laws -- As introduced, adds to current list of persons committing felonies or sexual offenses who are never eligible to register to vote, a violation containing the same elements and designated as a felony in any other state or federal court. Amends TCA Section 40-29-204.

### **Senate Bill No. 955** by Senator Beavers.

Criminal Procedure -- As introduced, decreases from 15 days to 10 days time period after receiving district attorney's letter for alleged violator to pay a bad check prior to possible commencement of criminal action. Amends TCA Title 40.

### **Senate Bill No. 956** by Senator Beavers.

Tobacco, Tobacco Products -- As introduced, clarifies that age-restricted venue exception to no smoking law applies only to persons entering such facilities other than employees. Amends TCA Title 39.

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### **Senate Bill No. 957** by Senator Beavers.

Coroners -- As introduced, increases fee for surgeon or physician summoned as a coroner's witness from an amount not to exceed \$25.00 to an amount not to exceed \$30.00. Amends TCA Title 38.

### **Senate Bill No. 958** by Senator Beavers.

Juveniles -- As introduced, clarifies that court order for youth service officer, probation officer, or the state agency to notify the school principal in writing of the nature of the offense and probation requirements, if any, related to school attendance for juvenile in state custody occurs as soon as possible before the child resumes or begins school attendance, whichever occurs first. Amends TCA Title 37.

### **Senate Bill No. 959** by Senator Beavers.

Child Custody and Support -- As introduced, decreases period of time in which hearings in all child support cases that are not being enforced pursuant to the provisions of Title IV-D of the Social Security Act shall be heard from 45 days to 35 days of the service of process. Amends TCA Title 36.

### **Senate Bill No. 960** by Senator Beavers.

Attorney General and Reporter -- As introduced, removes authority of attorney general to designate a district attorney general to prosecute or defend any court action concerning the amount, administration, or disposition of a charitable gift or a discretionary charitable gift. Amends TCA Title 35.

### **Senate Bill No. 961** by Senator Beavers.

Guardianship -- As introduced, decreases compensation payable to guardians from not more than 7 percent to not more than 5 percent of the amount of monies received during the period covered by the account. Amends TCA Title 34.

### **Senate Bill No. 962** by Senator Beavers.

Wills -- As introduced, increases amount of personal property that can be distributed by means of a nuncupative will from \$1,000 to \$10,000 and from \$10,000 to \$50,000 for persons in military service during time of war. Amends TCA Title 32.

### **Senate Bill No. 963** by Senator Beavers.

Escheat -- As introduced, clarifies that reports concerning property that may be subject to escheat must be filed with the treasurer within 60 days of obtaining knowledge that property may be subject to escheat. Amends TCA Title 31.

### **Senate Bill No. 964** by Senator Beavers.

Estates -- As introduced, requires the clerk to mail copies of exceptions to the personal representative of an estate, or the personal representative's attorney, within 10 days after the filing of exceptions, instead of five days. Amends TCA Title 30.

### **Senate Bill No. 965** by Senator Beavers.

Arbitration -- As introduced, decreases from eight months to six months the time an award shall be filed if the time is not fixed in the submission and the time is prolonged by mutual consent. Amends TCA Title 29.

### **Senate Bill No. 966** by Senator Beavers.

Limitation of Actions -- As introduced, decreases period for bringing actions against the personal representative of a decedent, for demands against such decedent, from within seven years after the decedent's death to within six years after the decedent's death. Amends TCA Title 28.

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### **Senate Bill No. 967** by Senator Beavers.

Appeal and Review -- As introduced, clarifies that appeal from judgment of a municipal recorder or officer in a civil action may be made within 10 business days, rather than 10 days excluding Sundays, to the next term of the circuit court. Amends TCA Title 27.

### **Senate Bill No. 968** by Senator Beavers.

Judgments -- As introduced, increases from 30 days to 45 days after the date a summons has been served upon the judgment debtor prior to execution or other process for enforcement of a foreign judgment. Amends TCA Title 26.

### **Senate Bill No. 969** by Senator Beavers.

Judgments -- As introduced, requires a final judgment to include the full name of each person against whom a judgment is rendered, if known to the prevailing party. Amends TCA Title 25.

### **Senate Bill No. 970** by Senator Beavers.

Evidence -- As introduced, adds optometrists to deponents exempt from subpoena to trial but subject to subpoena to a deposition. Amends TCA Title 24.

### **Senate Bill No. 971** by Senator Beavers.

Attorneys at Law -- As introduced, increases from two years to five years time period in which the supreme court may revoke a license procured by fraud. Amends TCA Title 23.

### **Senate Bill No. 972** by Senator Beavers.

Juries and Jurors -- As introduced, increases from \$30.00 to \$35.00 per day compensation for a sequestered juror. Amends TCA Title 22.

### **Senate Bill No. 973** by Senator Beavers.

Process, Service of -- As introduced, decreases from three years to two years time period in which a decree against a defendant without personal service of process and who does not appear to defend becomes absolute. Amends TCA Title 21.

### **Senate Bill No. 974** by Senator Beavers.

Civil Procedure -- As introduced, increases penalty for failure to note date of process from \$125 to \$150. Amends TCA Title 20.

### **Senate Bill No. 975** by Senator Beavers.

Clerks, Court -- As introduced, decreases from 90 days to 60 days notice required by court clerk to state librarian and archivist prior to destruction of records. Amends TCA Title 18.

### **Senate Bill No. 976** by Senator Beavers.

Statutes and Codification -- As introduced, establishes procedure to declare position of incapacitated member of code commission vacant. Amends TCA Title 1.

### **Senate Bill No. 977** by Senator Beavers.

Courts -- As introduced, requires a municipality to reimburse a county an amount equal to the compensation of the municipality's city judges when any general sessions judge is appointed to serve as a municipal or city judge. Amends TCA Title 16.

### **Senate Bill No. 978** by Senator Beavers.

Judges and Chancellors -- As introduced, clarifies that the Joint Legislative Committee appointed to review a recommendation to remove a judge shall file its report within 10 business days of the date of the hearing. Amends TCA Title 17.

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**Senate Bill No. 979** by Senator Gresham.

Traffic Safety -- As introduced, requires violations from traffic enforcement cameras to be reviewed by POST-certified officers, rather than employees of law enforcement office; prohibits mailing of notices of such violations by traffic camera vendors. Amends TCA Title 55, Chapter 8.

**Senate Bill No. 980** by Senator McNally.

Motor Vehicles -- As introduced, authorizes a semi-trailer with a fifth wheel with a boat or a tractor trailer attached to operate on highways in Tennessee if such semitrailer with a fifth wheel is for personal use and not for hire. Amends TCA Title 55, Chapter 7, Part 2.

**Senate Bill No. 981** by Senator McNally.

Tobacco, Tobacco Products -- As introduced, requires licensed distributor reports filed with the Department of Revenue to be admitted into evidence as non-hearsay documents in all judicial and administrative proceedings. Amends TCA Title 67, Chapter 4, Part 26.

**Senate Bill No. 982** by Senator McNally.

Election Laws -- As introduced, prohibits any person convicted of a felony under state or federal law involving moral turpitude after July 1, 1986, but before July 1, 1996, while in public office who, on the effective date of this act, has not had the person's citizenship rights restored, from qualifying for or holding any office under the laws or constitution of this state. Amends TCA Title 39, Chapter 16, Part 4.

**Senate Bill No. 983** by Senator McNally.

Welfare -- As introduced, requires drug testing as eligibility requirement for public assistance for the poor. Amends TCA Title 4, Chapter 3, Part 12; Title 4, Chapter 3, Part 18 and Title 71.

**Senate Bill No. 984** by Senator McNally.

Comptroller, State -- As introduced, requires Department of Audit to maintain liaison with each entity subject to audit for information and advice as to audit requirements and standards. Amends TCA Title 9.

**Senate Bill No. 985** by Senator McNally.

Taxes, Franchise -- As introduced, increases franchise and excise tax credit for financial institutions donating to the Tennessee rural development opportunity fund from 10 percent of contribution to 12 percent of contribution. Amends TCA Title 67.

**Senate Bill No. 986** by Senator McNally.

Highway Signs -- As introduced, designates segment of State Route 68 in Monroe County as "Bob Harrill Memorial Highway".

**Senate Bill No. 987** by Senator McNally.

Firefighters -- As introduced, authorizes fire service utility district in Knox County to impose charges on nonsubscriber for cost of services rendered. Amends TCA Title 7, Chapter 82, Part 3 and Title 7, Chapter 86, Part 2.

**Senate Bill No. 988** by Senator McNally.

Fire Prevention and Investigation -- As introduced, provides that fire chiefs can relinquish control over any other fire district's fire department or company responding to an emergency in the chief's fire district. Amends TCA Title 6 and Title 7.

**Senate Bill No. 989** by Senator McNally.

DUI Offenses -- As introduced, requires a court prior to accepting a guilty plea or a verdict or finding of guilty for a violation of Section 55-10-401, to review the defendant's official driver record

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maintained by the department to determine the factual basis for determining whether a defendant is a repeat or multiple offender. Amends TCA Title 40 and Title 55.

### **Senate Bill No. 990** by Senator McNally.

Tennessee Bureau of Investigation -- As introduced, clarifies that \$13.75 court costs for TBI are imposed upon the forfeiture of any cash bond or other surety entered as a result of a municipal traffic citation. Amends TCA Title 38, Chapter 6, Part 1 and Title 40, Chapter 11, Part 1.

### **Senate Bill No. 991** by Senator McNally.

Criminal Offenses -- As introduced, clarifies intent of PC 1004 of 2010, imposing \$250 drug testing fee on convictions of or grants of diversion for violations of Tennessee Drug Control Act, to apply statewide and not be limited to certain counties. Amends TCA Section 39-17-420.

### **Senate Bill No. 992** by Senator McNally.

Criminal Offenses -- As introduced, creates Class B felony for person manufacturing, delivering or selling substances containing 15 grams or more of oxycodone; creates Class A felony for person manufacturing, delivering or selling substances containing 150 grams or more of oxycodone. Amends TCA Title 39, Chapter 17, Part 4.

### **Senate Bill No. 993** by Senator McNally.

Insurance, Health, Accident -- As introduced, requires coverage of tamper-resistant opioids if a health benefit plan includes prescription drug coverage. Amends TCA Title 53, Chapter 10, Part 2 and Title 56, Chapter 7.

### **Senate Bill No. 994** by Senator McNally.

Insurance, Motor Vehicles -- As introduced, establishes certain claim settlement practices for insurers issuing automobile liability insurance in Tennessee. Amends TCA Title 56.

### **Senate Bill No. 995** by Senator McNally.

Taxes, Litigation -- As introduced, allows Loudon County to impose additional \$5.00 litigation tax on all civil and criminal cases to be used for grants to Court Appointed Special Advocates (CASA). Amends TCA Title 36, Chapter 3; Title 36, Chapter 6; Title 39, Chapter 13 and Title 67, Chapter 4, Part 6.

### **Senate Bill No. 996** by Senator McNally.

Taxes, Real Property -- As introduced, increases income limitations for certain disabled homeowners, from present \$24,000 to \$26,500 each year, to be eligible for reimbursement for property taxes. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

### **Senate Bill No. 997** by Senator McNally.

Mortgages -- As introduced, prohibits mortgage companies from estimating the cost of homeowner's insurance for inclusion in their good faith estimate of closing costs; requires the prospective purchaser to provide this information to the mortgage company. Amends TCA Title 45.

### **Senate Bill No. 998** by Senator McNally.

Revenue, Dept. of -- As introduced, increases reasonable fee authorized to be charged by Commissioner of Revenue to issue revenue letters or revenue rulings from \$200 to \$250. Amends TCA Title 67, Chapter 1, Part 1 and Title 67, Chapter 1, Part 18.

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**Senate Bill No. 999** by Senator McNally.

Regional Authorities and Special Districts -- As introduced, adds a representative from Oak Ridge to the Knoxville Regional Transportation Planning Office. Amends TCA Title 64, Chapter 8.

**Senate Bill No. 1000** by Senator McNally.

Fiscal Review Committee -- As introduced, allows access by the Fiscal Review Committee staff to certain confidential tax information and records in the possession of the Department of Revenue; requires the Fiscal Review Committee staff to maintain the confidentiality of such information and records. Amends TCA Title 67, Chapter 1, Part 17.

**Senate Bill No. 1001** by Senator McNally.

Highway Signs -- As introduced, designates segment of State Route 62 in Knox County as "Veterans Memorial Mile".

**Senate Bill No. 1002** by Senator McNally.

Evidence -- As introduced, creates a good faith exception to the exclusionary rule. Amends TCA Title 40.

**Senate Bill No. 1003** by Senator McNally.

Controlled Substances -- As introduced, revises various provisions regarding law enforcement access to the controlled substances database and the application process for such access. Amends TCA Title 53, Chapter 10, Part 3.

**Senate Bill No. 1004** by Senator McNally.

District Attorneys -- As introduced, creates 12 additional assistant district attorney general positions. Amends TCA Title 8 and Title 16, Chapter 2.

**Senate Bill No. 1005** by Senator McNally.

Pensions and Retirement Benefits -- As introduced, corrects reference from "commissioner of personnel" to "commissioner of human resources" in provision regarding membership of TCRS board of trustees. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37.

**Senate Bill No. 1006** by Senator McNally.

Pensions and Retirement Benefits -- As introduced, corrects reference to the board of trustees of the consolidated retirement system. Amends TCA Title 8, Chapter 25, Part 1; Title 8, Chapter 25, Part 3; Title 8, Chapter 25, Part 27.

**Senate Bill No. 1007** by Senator McNally.

Pensions and Retirement Benefits -- As introduced, deletes obsolete provision regarding unpaid benefits from the superseded judges' retirement system. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 3.

**Senate Bill No. 1008** by Senator McNally.

Pensions and Retirement Benefits -- As introduced, revises various provisions governing the Tennessee consolidated retirement system; requires that counsel for treasury department serve as attorney for the chair of TCRS and treasury with regard to deferred or tax-sheltered compensation plans. Amends TCA Section 8-24-104(c); Title 8, Chapter 25, Part 1; Section 8-25-111; Title 8, Chapter 25, Part 3; Title 8, Chapter 34, Part 2; Section 8-34-203; Section 8-34-302(a)(6); Section 8-34-319; Section 8-34-321; Title 8, Chapter 35, Part 2; Section 8-35-201(d); Section 8-35-218(a); Section 8-36-208(b) and Section 8-36-212.

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### **Senate Bill No. 1009** by Senator Campfield.

Landlord and Tenant -- As introduced, revises Uniform Landlord and Tenant Act. Amends TCA Title 66, Chapter 28.

### **Senate Bill No. 1010** by Senator Campfield.

Funeral Directors and Embalmers -- As introduced, exempts funeral directors from registering as pre-need sales agents or pre-need sellers before engaging in the sale of pre-need merchandise or pre-need contracts. Amends TCA Title 62, Chapter 5.

### **Senate Bill No. 1011** by Senator Kelsey.

Criminal Procedure -- As introduced, limits the reason for which a prosecutor may be found to have abused prosecutorial discretion in failing to grant pretrial diversion; creates a prosecutorial right to an interlocutory appeal for a judicial finding of abuse of prosecutorial discretion; specifies that the prosecuting attorney decides whether to grant diversion. Amends TCA Title 40.

### **Senate Bill No. 1012** by Senator Faulk.

Transportation, Dept. of -- As introduced, enacts the "Tennessee Transportation Challenge Grant Act of 2011". Amends TCA Title 54, Chapter 2.

### **Senate Bill No. 1013** by Senator Finney.

Emergency Communications Districts -- As introduced, allows district to purchase equipment under same terms of legal bid initiated by another district. Amends TCA Title 7, Chapter 86, Part 1.

### **Senate Bill No. 1014** by Senator Finney.

Licenses -- As introduced, exempts from mortgage lender licensure certain persons who make five or fewer residential mortgage loans in any consecutive 12-month period, and certain licensed real estate brokers. Amends TCA Title 45, Chapter 13.

### **Senate Bill No. 1015** by Senator Bell.

General Assembly, Directed Studies -- As introduced, changes the date on which the Select Committee on Children and Youth is to report its findings concerning its study on human sex trafficking from March 1, 2011 until June 1, 2011. Amends Chapter 1023 of the Public Acts of 2010.

### **Senate Bill No. 1016** by Senator Bell.

Sexual Offenders -- As introduced, requires registered sex offenders to report to registering law enforcement agencies prior to traveling out of the United States. Amends TCA Title 40, Chapter 39, Part 2.

### **Senate Bill No. 1017** by Senator Haile.

Pharmacy, Pharmacists -- As introduced, enacts the "Tennessee Medication Therapy Monitoring and Management Act of 2011" for anti-epileptic drugs. Amends TCA Title 53.

### **Senate Bill No. 1018** by Senator Haile.

Pharmacy, Pharmacists -- As introduced, enacts the "Tennessee Medication Therapy Monitoring and Management Act of 2011" for immunosuppressant and anti-epileptic drugs. Amends TCA Title 53.

### **Senate Bill No. 1019** by Senator Barnes.

General Assembly -- As introduced, prohibits a committee of either house from considering, or the chief clerk from referring, a general bill concerning revenue unless it limits statutory changes to only one part of Title 67. Amends TCA Title 3, Chapter 2, Part 1 and Title 9, Chapter 4, Part 51.

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**Senate Bill No. 1020** by Senator Barnes.

State Employees -- As introduced, requires certain executive branch employees to make financial disclosures. Amends TCA Title 8.

**Senate Bill No. 1021** by Senator Barnes.

Lottery, Scholarships and Programs -- As introduced, establishes the Tennessee HOPE prospective teacher's scholarship. Amends TCA Title 49, Chapter 4, Part 9.

**Senate Bill No. 1022** by Senator Barnes.

Probation and Parole -- As introduced, transfers supervision of the out-of-state parole and probation supervision registry from the TBI to the board of probation and parole. Amends TCA Section 38-6-116 and Title 40, Chapter 28, Part 4.

**Senate Bill No. 1023** by Senator Barnes.

Driver Licenses -- As introduced, authorizes honorably discharged veterans to have language or a symbol indicating their military service placed on their driver license; requires the Department of Veterans' Affairs, in consultation with the Department of Safety, to develop appropriate language or military symbol. Amends TCA Title 55, Chapter 50, Part 3.

**Senate Bill No. 1024** by Senators Southerland and Burks.

Election Laws -- As introduced, enacts the "Agreement Among the States to Elect the President by National Popular Vote". Amends TCA Title 2, Chapter 15.

**Senate Bill No. 1025** by Senator Ketron.

Insurance Companies, Agents, Brokers, Policies -- As introduced, enacts the "Surplus Lines Insurance Act" and the Surplus Lines Insurance Multi-State Compliance Compact. Amends TCA Title 56, Chapter 14.

**Senate Bill No. 1026** by Senator Ketron.

Physicians and Surgeons -- As introduced, reduces the penalty for unauthorized practice of medicine from a Class B to a Class C misdemeanor. Amends TCA Title 63.

**Senate Bill No. 1027** by Senator Ketron.

Insurance Companies, Agents, Brokers, Policies -- As introduced, requires limited lines licensure for the sale or offer of coverage under a policy of portable electronics insurance. Amends TCA Title 56.

**Senate Bill No. 1028** by Senators Ketron, Tate, Beavers and Gresham.

Homeland Security -- As introduced, enacts the "Material Support to Designated Entities Act of 2011". Amends TCA Title 38; Title 39; Title 40; Title 45; Title 55 and Title 58.

**Senate Bill No. 1029** by Senator Ketron.

Water Pollution -- As introduced, requires that notification of a regular or special meeting of the water quality control board shall be provided seven days instead of five in advance of the meeting. Amends TCA Title 69, Chapter 3, Part 1.

**Senate Bill No. 1030** by Senator Ketron.

Wine & Wineries -- As introduced, allows direct shipper to ship wine to any address in the state. Amends TCA Section 57-3-217.



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### **Senate Bill No. 1031** by Senator Ketron.

Employees, Employers -- As introduced, prohibits any business or organization operating in this state from executing an agreement with a union or employee organization of any kind that includes a maintenance of membership clause prohibiting employees from withdrawing from a union or employee organization prior to the agreement's expiration. Amends TCA Title 50, Chapter 1, Part 2.

### **Senate Bill No. 1032** by Senator Ketron.

State Employees -- As introduced, creates civil penalty for employee engaged in a work stoppage; requires all documentation of labor negotiation with state employee associations be public record. Amends TCA Title 8, Chapter 44; Title 8, Chapter 50 and Title 8, Chapter 23.

### **Senate Bill No. 1033** by Senator Ketron.

Criminal Offenses -- As introduced, prohibits certain union and employee organization activities. Amends TCA Title 39, Chapter 11; Title 39, Chapter 14; Title 39, Chapter 16 and Title 39, Chapter 17.

### **Senate Bill No. 1034** by Senator Ketron.

Labor -- As introduced, broadens scope of violence in the workplace laws. Amends TCA Title 20, Chapter 14.

### **Senate Bill No. 1035** by Senator Ketron.

State Employees -- As introduced, creates financial disclosure requirements for state employee associations. Amends TCA Title 8, Chapter 50.

### **Senate Bill No. 1036** by Senator Ketron.

Labor -- As introduced, requires a labor or employee organization to obtain prior, voluntary, written approval for use of dues or fees paid by an employee to the organization and specifies other requirements relative to such dues or fees. Amends TCA Title 50, Chapter 1.

### **Senate Bill No. 1037** by Senator Ketron.

Beer -- As introduced, applies the hours for the sale of beer on Sunday to the area of the county outside of a municipality that adopts liquor-by-the-drink in a referendum; unless the county legislative body by a 2/3 vote sets the hours for the sale of beer on Sunday in areas outside such municipality. Amends TCA Title 57, Chapter 4 and Title 57, Chapter 5.

### **Senate Bill No. 1038** by Senator Ketron.

Alcoholic Beverages -- As introduced, revises residency requirements to obtain a retailer's license from being a resident for one instead of two years preceding the issuance of the license or for at least five instead of 10 consecutive years; removes these requirements if the next of kin take over the license following the death of a retail license holder. Amends TCA Title 57.

### **Senate Bill No. 1039** by Senator Ketron.

Professions and Occupations -- As introduced, requires the health-related boards and the boards attached to the division of regulatory boards to develop a procedure to expedite the licensing or certification of persons who were licensed or certified in another state and accompanied their spouse, who is the subject of a military transfer, to Tennessee. Amends TCA Title 4, Chapter 3, Part 13; Title 62 and Title 68.

### **Senate Bill No. 1040** by Senator Ketron.

Agriculture -- As introduced, requires the Commissioner of Agriculture to appoint an advisory committee to provide assistance to the commissioner concerning invasive pest plants in Tennessee;

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the appointments shall be from rural and urban areas of the three grand divisions and the members shall serve without compensation or reimbursement for travel expenditures. Amends TCA Title 43, Chapter 6, Part 1.

### **Senate Bill No. 1041** by Senator Ketron.

Public Contracts -- As introduced, requires certain commissioners and agency heads to certify to comptroller that state employees could not have been used instead of contracting with outside entities in rendering services required under certain contracts. Amends TCA Title 4; Title 8 and Title 12.

### **Senate Bill No. 1042** by Senator Ketron.

Public Contracts -- As introduced, prohibits a modification, alteration, change or deletion to any bid specification or requirement within 48 hours of the bid opening or bid acceptance when a statute, ordinance, resolution, rule or regulation mandates the use of competitive bidding of any kind or nature by a state agency, county or municipal corporation. Amends TCA Title 12, Chapter 4, Part 1.

### **Senate Bill No. 1043** by Senator Ketron.

Election Laws -- As introduced, requires candidates for president of the United States, as a condition of having the candidate's name appear on the ballot, to file a sworn affidavit with the secretary of state together with certain information to prove the candidate meets the constitutional residency requirements. Amends TCA Title 2, Chapter 5, Part 2.

### **Senate Bill No. 1044** by Senator Ketron.

Criminal Offenses -- As introduced, creates a separate criminal offense for selling or offering for sale drug paraphernalia. Amends TCA Title 4, Chapter 3; Title 39, Chapter 13; Title 39, Chapter 17; Title 39, Chapter 11 and Title 40, Chapter 33.

### **Senate Bill No. 1045** by Senator Ketron.

Election Laws -- As introduced, adds a prohibition on administrators of County Election Commissions employing certain family members to the prohibition on families of County Election Commissioners. Amends TCA Title 2.

### **Senate Bill No. 1046** by Senator Ketron.

Public Funds and Financing -- As introduced, adds step-up bonds and obligations to list of eligible collateral for public depository purposes. Amends TCA Title 9, Chapter 4 and Title 9, Chapter 5.

### **Senate Bill No. 1047** by Senator Ketron.

Public Funds and Financing -- As introduced, authorizes the treasurer to accept as security for public deposits certain governmental bonds containing increases in the interest rate; authorizes the treasurer to discount the face value of such bonds. Amends TCA Title 9, Chapter 4, Part 1 and Title 9, Chapter 4, Part 5.

### **Senate Bill No. 1048** by Senator Ketron.

Taxes, Privilege -- As introduced, clarifies that a holder of an indebtedness has a duty to collect the tax imposed on the recordation of evidence of the indebtedness and to remit the tax as required by law. Amends TCA Section 67-4-409.

### **Senate Bill No. 1049** by Senator Tracy.

Boards and Commissions -- As introduced, removes requirement that council for licensing hearing instrument specialists be administratively attached to board of communication disorders and

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sciences; renames council the board for licensing hearing instrument specialists. Amends TCA Title 4 and Title 63, Chapter 17.

**Senate Bill No. 1050** by Senator Tracy.

Driver Licenses -- As introduced, exempts certain persons from the requirement that all Tennessee commercial driver license holders must maintain a valid medical card. Amends TCA Title 55, Chapter 50.

**Senate Bill No. 1051** by Senator Campfield.

Sexual Offenders -- As introduced, requires all sexual offenders who are incarcerated, but who have not yet registered as a sexual offender or violent sexual offender, to be registered in the institution in which they are incarcerated by no later than August 1, 2011. Amends TCA Title 40, Chapter 39, Part 2.

**Senate Bill No. 1052** by Senator Barnes.

Campaigns and Campaign Finance -- As introduced, establishes monetary limits on a candidate's contributions to the candidate's own campaign for state or local office. Amends TCA Title 2, Chapter 10, Part 3.

**Senate Bill No. 1053** by Senator Barnes.

Firearms and Ammunition -- As introduced, prohibits employers from prohibiting employees possessing a handgun carry permit from transporting and storing a firearm out of sight in a locked vehicle on any property set aside for employee parking; prohibits employer from terminating, demoting, or other discrimination against such employees. Amends TCA Title 39, Chapter 17, Part 13.

**Senate Bill No. 1054** by Senator Barnes.

Evidence -- As introduced, restricts a plaintiff from introducing certain evidence of amounts charged by healthcare providers if the defendant or the defendant's insurer meets certain requirements. Amends TCA Title 29, Chapter 34, Part 2.

**Senate Bill No. 1055** by Senator Barnes.

Water -- As introduced, requires any public water system or waterworks system that discontinues the fluoridation of its water supply to give notice of such discontinuance to applicable state agencies and affected customers. Amends TCA Title 68, Chapter 221.

**Senate Bill No. 1056** by Senator Harper.

Law Enforcement Training Academy -- As introduced, provides that the law enforcement training academy curriculum requirements include materials on sexual assault and stalking of domestic abuse victims as well as materials on domestic violence. Amends TCA Title 8; Title 38 and Title 40.

**Senate Bill No. 1057** by Senator Marrero.

Education -- As introduced, requires the commission of education to submit annual report as of each December 1, rather than November 1. Amends TCA Title 49.

**Senate Bill No. 1058** by Senator Marrero.

Criminal Procedure -- As introduced, directs that House and Senate Judiciary Committees study application of death penalty in Tennessee; provides for moratorium on executions until study results are presented to the general assembly. Amends TCA Title 39, Chapter 13, Part 2.

**Senate Bill No. 1059** by Senator Marrero.

Public Records -- As introduced, authorizes expunction of records of certain persons convicted of simple possession before age 21. Amends TCA Title 40, Chapter 32, Part 1.

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### **Senate Bill No. 1060** by Senator Marrero.

Motor Vehicles -- As introduced, for family automobiles which secure a debt, authorizes a debtor to petition a chancery court for an order granting the debtor up to 30 days to repay or settle the debt. Amends TCA Title 47 and Title 55.

### **Senate Bill No. 1061** by Senator Marrero.

Insurance, Health, Accident -- As introduced, requires health insurance entities to reimburse certain costs to insured when coverage is unreasonably denied. Amends TCA Title 56.

### **Senate Bill No. 1062** by Senator Marrero.

Taxes, Sales -- As introduced, reduces from 90 to 75 days period in which dealer via signed statement can deduct on a return sales tax collected but not yet remitted to commissioner for refunded items. Amends TCA Title 67.

### **Senate Bill No. 1063** by Senator Marrero.

Taxes, Gross Receipts -- As introduced, requires annual report to governor and speakers concerning programs receiving funding from bottler's tax to be delivered by February 1 each year instead of by March 31 each year. Amends TCA Section 67-4-402.

### **Senate Bill No. 1064** by Senators Overbey and Haile.

Taxes, Exemption and Credits -- As introduced, exempts from the sales and use tax diabetic testing supplies, including but not limited to lancets, test strips for blood glucose monitors and visual reading and urine test strips, sold pursuant to a prescription for human use. Amends TCA Title 56 and Title 67, Chapter 6, Part 3.

### **Senate Bill No. 1065** by Senators Overbey and Haile.

Pharmacy, Pharmacists -- As introduced, adds new requirements governing audits of pharmacies by pharmacy benefit managers. Amends TCA Title 56, Chapter 7, Part 31.

### **Senate Bill No. 1066** by Senator Barnes.

Real Property -- As introduced, revises various statutory provisions relevant to foreclosure. Amends TCA Title 8, Chapter 3 and Title 35, Chapter 5.

### **Senate Bill No. 1067** by Senator Haynes.

Consumer Protection -- As introduced, revises certain disclosures relative to timeshares and prohibits certain advertisements. Amends TCA Title 66, Chapter 32.

### **Senate Bill No. 1068** by Senator Haynes.

Alcoholic Beverages -- As introduced, allows theater in Davidson County to sell alcoholic beverages for consumption on premises. Amends TCA Section 57-4-102.

### **Senate Bill No. 1069** by Senator Haynes.

Aircraft and Airports -- As introduced, subjects property and revenues of airport authorities to taxation and requires authority approval for vendor fee increases. Amends TCA Title 42, Chapter 4.

### **Senate Bill No. 1070** by Senator Haynes.

Boards and Commissions -- As introduced, clarifies that one police officer member of the Peace Officer Standards and Training Commission shall be the president of the state Fraternal Order of Police. Amends TCA Section 38-8-102.

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**Senate Bill No. 1071** by Senator Haynes.

Pensions and Retirement Benefits -- As introduced, requires that state firefighters in non-supervisory and non-administrative positions must retire at age 60. Amends TCA Title 8, Chapter 36, Part 2.

**Senate Bill No. 1072** by Senator Haynes.

Business and Commerce -- As introduced, requires employers to provide each employee who is a veteran with paid or unpaid holiday time off for Veterans' Day under certain circumstances. Amends TCA Title 50 and Title 58.

**Senate Bill No. 1073** by Senator Haynes.

Business and Commerce -- As introduced, clarifies requirements concerning secondhand mattresses sold in this state. Amends TCA Title 68, Chapter 15, Part 2.

**Senate Bill No. 1074** by Senator Haynes.

Taxes, Sales -- As introduced, reduces from 5.5% to 5% the sales tax on food in fiscal year 2011-2012; reduces the rate from 5% to 4.5% in fiscal year 2012-2013. Amends TCA Title 67, Chapter 6, Part 2.

**Senate Bill No. 1075** by Senator Haynes.

Taxes, Sales -- As introduced, reduces from 5.5% to 5% the retail sales tax on food and food ingredients. Amends TCA Title 67, Chapter 6, Part 2.

**Senate Bill No. 1076** by Senator Haynes.

Taxes, Inheritance Gift -- As introduced, requires maximum exemption to be applied against the net estate for inheritance tax purposes to be the same as under federal estate tax law. Amends TCA Title 67, Chapter 8.

**Senate Bill No. 1077** by Senator Campfield.

Public Buildings -- As introduced, increases from three to seven the number of persons/electors required for submission of an application for incorporation of a public building authority. Amends TCA Title 12, Chapter 10, Part 1.

**Senate Bill No. 1078** by Senator Gresham.

Contracts -- As introduced, clarifies that performance requirements or incentives in contracts or grants between state entities and providers of services related to prevention, treatment or care of delinquent juveniles are allowed to ensure that the initial amount of the grant or contract does not decrease, nor financial penalties accrue to the grant or contract recipients based on performance requirements. Amends TCA Section 37-5-121.

**Senate Bill No. 1079** by Senator Gresham.

Lottery, Scholarships and Programs -- As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on scholarship and grant programs data. Amends TCA Title 49.

**Senate Bill No. 1080** by Senator Woodson.

Taxes, Real Property -- As introduced, clarifies that the chancery court shall have jurisdiction of cases involving the sale of property for delinquent taxes even though the amount sued for is less than \$100. Amends TCA Title 67, Chapter 5.

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### **Senate Bill No. 1081** by Senator Woodson.

Taxes, Real Property -- As introduced, allows the municipality or county that conducted a sale for delinquent taxes to submit a report of findings of fact to the court that summarizes for each property sold at the sale for delinquent taxes the names of all parties with an interest in the real estate and such other facts relevant to the sale. Amends TCA Title 67, Chapter 5, Part 25.

### **Senate Bill No. 1082** by Senator Woodson.

Taxes, Real Property -- As introduced, increases the number of weeks that the trustee is required to publish a notice of delinquent taxes in a newspaper prior to filing suit from two weeks to four weeks. Amends TCA Title 67, Chapter 5.

### **Senate Bill No. 1083** by Senator Woodson.

Traffic Safety -- As introduced, increases penalty for speeding in marked school zone from Class C misdemeanor to Class B misdemeanor; designates \$50.00 of such enhanced penalty to be used by TDOT for grants for safe pathways for students. Amends TCA Title 55, Chapter 8.

### **Senate Bill No. 1084** by Senator Woodson.

Education -- As introduced, authorizes the Department of Education to establish a three-year pilot project of competitive grants for middle school after school and summer educational programs. Amends TCA Title 4, Chapter 51 and Title 49.

### **Senate Bill No. 1085** by Senator Beavers.

DUI Offenses -- As introduced, lowers the DUI enhancement that would require an ignition interlock from .15 percent to .08 percent and removes the DUI enhancements that would require an ignition interlock relative to implied consent. Amends TCA Title 38; Title 39; Title 40 and Title 55.

### **Senate Bill No. 1086** by Senator Beavers.

Criminal Procedure -- As introduced, increases the amount of time a petitioner in a post-conviction relief action has to appeal the ruling of the trial court to the court of criminal appeals on a motion to reopen the petition from 10 to 30 days. Amends TCA Section 40-30-117(c).

### **Senate Bill No. 1087** by Senator Beavers.

Criminal Offenses -- As introduced, provides that making a false statement on a declaration, such as under the Uniform Unsworn Foreign Declarations Act, is covered by the offense of perjury. Amends TCA Section 39-16-702.

### **Senate Bill No. 1088** by Senator Beavers.

Ethics -- As introduced, provides that if a complaint is filed against a judge who is or was a member of the court of the judiciary at the same time as the investigative counsel served as counsel for the court, the investigative counsel must retain a special counsel to investigate any such complaint. Amends TCA Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16.

### **Senate Bill No. 1089** by Senator Beavers.

Judges and Chancellors -- As introduced, provides that if a party makes a timely recusal motion and the judge denies it, the party has the right to have another judge sit by interchange or as special judge to hear and determine whether the motion should be granted or denied. Amends TCA Title 16; Title 17 and Title 39, Chapter 16.

### **Senate Bill No. 1090** by Senator Beavers.

Judges and Chancellors -- As introduced, provides that if a party makes a timely recusal motion and judge denies it, the party has the right to have another judge sit by interchange or as special judge to

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hear and determine whether the motion should be granted or denied. Amends TCA Title 16; Title 17 and Title 39, Chapter 16.

### **Senate Bill No. 1091** by Senator Beavers.

Election Laws -- As introduced, adds additional requirements to be submitted for certain candidates' names to be placed on the ballot in this state. Amends TCA Title 2.

### **Senate Bill No. 1092** by Senator Beavers.

Courts, Administrative Office of the -- As introduced, provides that before submitting the annual budget for the state court system to Department of Finance and Administration, the administrative director of the courts must first submit it to the executive committee of the judicial conference for approval. Amends TCA Section 16-3-803.

### **Senate Bill No. 1093** by Senator Beavers.

Highway Patrol -- As introduced, requires hiring, promotion and retention of commissioned highway patrol officers to be in compliance with state civil service laws. Amends TCA Title 4, Chapter 7 and Title 8, Chapter 30.

### **Senate Bill No. 1094** by Senator Beavers.

Courts -- As introduced, changes burden of proof necessary to cause investigation of a judge for misconduct from a reasonable person believing there is a substantial probability that misconduct occurred to probable cause that the misconduct occurred. Amends TCA Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16.

### **Senate Bill No. 1095** by Senator Beavers.

Criminal Offenses -- As introduced, creates new felony criminal offense of "retail theft". Amends TCA Title 39, Chapter 14 and Title 40.

### **Senate Bill No. 1096** by Senator Beavers.

County Officers -- As introduced, prohibits county officials' compensation from increasing in any year in which the compensation of other county employees is not increased; prohibits the new federal census figures from being used to increase the compensation of county officials until the salary of other county employees is increased. Amends TCA Title 8, Chapter 24, Part 1.

### **Senate Bill No. 1097** by Senator Beavers.

Public Records -- As introduced, provides that all records filed with, created by or in the possession of the court of the judiciary or the office of investigative counsel be maintained by the administrative office of the courts for at least eight years from the date of creation or receipt and that maintenance of the records does not change their status as a public or confidential record. Amends TCA Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16.

### **Senate Bill No. 1098** by Senator Beavers.

Judges and Chancellors -- As introduced, provides that if complaint filed against a judge and the judge is not reelected, resigns or retires before disposition of the complaint, the court of the judiciary must make the complaint and allegations contained therein public. Amends TCA Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16.

### **Senate Bill No. 1099** by Senator Beavers.

Court Rules -- As introduced, provides that rules adopted by the court of the judiciary may not be inconsistent or in conflict with the statutory provisions establishing the court. Amends TCA Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16.

## THURSDAY, FEBRUARY 17, 2011 -- 7TH LEGISLATIVE DAY

### **Senate Bill No. 1100** by Senator Beavers.

Taxes, Ad Valorem -- As introduced, authorizes property tax relief to surviving spouses of disabled veterans who would have been eligible for relief had the veteran qualified under later amendments to the law. Amends TCA Section 67-5-704.

### **Senate Bill No. 1101** by Senators Campfield and Ketron.

Medical Occupations -- As introduced, specifies conditions under which collection stations for laboratory specimens that are open to the public must operate. Amends TCA Title 68, Chapter 29, Part 1.

### **Senate Bill No. 1102** by Senator Campfield.

State Employees -- As introduced, requires any group health insurance plan for state officials and employees to meet the requirements of a high deductible health plan as defined by 26 U.S.C. Section 223. Amends TCA Title 8, Chapter 27, Part 2.

### **Senate Bill No. 1103** by Senator Campfield.

Criminal Offenses -- As introduced, includes appointing someone as a member or chairman of, or to a leadership position on, a committee, board or other governmental body within the definition of "pecuniary interest" for purposes of the bribery statutes. Amends TCA Title 39, Chapter 16, Part 1.

### **Senate Bill No. 1104** by Senator Campfield.

County Government -- As introduced, deletes the authority of the county legislative body to confirm appointments made by the county mayor to county boards and commissions and department heads. Amends TCA Section 5-6-106.

### **Senate Bill No. 1105** by Senator Campfield.

County Government -- As introduced, changes the required vote of the county legislative body to override the veto of the county mayor from a majority vote to a two-thirds vote. Amends TCA Section 5-6-107.

### **Senate Bill No. 1106** by Senator Campfield.

Local Education Agencies -- As introduced, requires that the salary of the director of schools not be higher in any given fiscal year than the salary paid to the county mayor for the same fiscal year. Amends TCA Section 49-2-203 and Section 49-2-301.

### **Senate Bill No. 1107** by Senator Campfield.

County Officers -- As introduced, establishes that the sole educational and experience qualification for the position of highway superintendent in certain counties is a high school education or GED. Amends TCA Title 54, Chapter 7, Part 1.

### **Senate Bill No. 1108** by Senator Campfield.

Criminal Procedure -- As introduced, provides that a federal employee who is not designated as a Tennessee peace officer may not make an arrest or conduct a search and seizure in this state without the written permission of the sheriff of the county in which the arrest, search and seizure will take place except under certain circumstances. Amends TCA Title 38, Chapter 3, Part 1.

### **Senate Bill No. 1109** by Senators Overbey, Crowe and Finney.

Hospitals and Health Care Facilities -- As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home beds until June 30, 2013. Amends TCA Title 68, Chapter 11, Part 16.



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### **Senate Bill No. 1110** by Senators Overbey and Crowe.

Hospitals and Health Care Facilities -- As introduced, extends for two years the nursing home privilege tax and restricts the use of such tax revenues to the funding of nursing home rates. Amends TCA Title 68, Chapter 11, Part 2.

### **Senate Bill No. 1111** by Senator Kelsey.

Courts, Juvenile -- As introduced, grants temporary jurisdiction to juvenile court when another court has previously had jurisdiction, including allowing emergency temporary orders in cases of dependency, neglect, abuse or orders of protection. Amends TCA Section 37-1-103.

### **Senate Bill No. 1112** by Senator Kelsey.

Juvenile Offenders -- As introduced, amends various provisions regarding the transfer of juveniles to adult court and the Department of Children's Services custody of such children; authorizes communication between the adult court and the juvenile court; clarifies provisions on home placement supervision of juveniles. Amends TCA Title 37, Chapter 1, Part 1.

### **Senate Bill No. 1113** by Senator Kelsey.

Employees, Employers -- As introduced, requires that a court allow burden shifting in employment litigation. Amends TCA Title 20; Title 25 and Title 50.

### **Senate Bill No. 1114** by Senator Kelsey.

Civil Procedure -- As introduced, declares that a moving party prevails on a motion for summary judgment if it submits affirmative evidence negating an element of a nonmoving party's claim or demonstrates that the nonmoving party's evidence is insufficient to establish an essential element. Amends TCA Title 20.

### **Senate Bill No. 1115** by Senator Bell.

Taxes, Personal Property -- As introduced, exempts from tangible personal property tax equipment used for harvesting timber. Amends TCA Title 67, Chapter 5.

### **Senate Bill No. 1116** by Senator Bell.

Environmental Preservation -- As introduced, repeals Tennessee Petroleum Underground Storage Tank Act. Amends TCA Title 68.

### **Senate Bill No. 1117** by Senator Bell.

Traffic Safety -- As introduced, requires that a traffic citation based upon evidence obtained by a traffic enforcement camera is to be served upon the driver in the same manner as a criminal summons and prosecuted in the same manner as a traffic citation based upon the observation of a law enforcement officer. Amends TCA Title 55, Chapter 10, Part 2 and Title 55, Chapter 8.

### **Senate Bill No. 1118** by Senator Bell.

Environmental Preservation -- As introduced, codifies stream mitigation plan requirements in accordance with state and federal guidelines. Amends TCA Title 4; Title 68 and Title 69.

### **Senate Bill No. 1119** by Senator Woodson.

Insurance, Health, Accident -- As introduced, authorizes insurers to use incentives and rewards to encourage or reward participation in a health promotion program. Amends TCA Title 56.

### **Senate Bill No. 1120** by Senator Marrero.

Sports -- As introduced, enacts the "Youth Sports Safety Act". Amends TCA Title 49; Title 50 and Title 68.

## THURSDAY, FEBRUARY 17, 2011 -- 7TH LEGISLATIVE DAY

### **Senate Bill No. 1121** by Senator Marrero.

Children's Services, Dept. of -- As introduced, requires the Tennessee bureau of investigation to conduct any investigation into the Department of Children's Services that is currently conducted by the Department of Children's Services and requires TBI to maintain confidentiality of Department of Children's Services records. Amends TCA Title 4 and Title 37.

### **Senate Bill No. 1122** by Senator Marrero.

Child Abuse -- As introduced, changes from January 15 to February 1 annual deadline for district attorneys general to submit to the standing Judiciary Committees their reports on the progress of child protective teams. Amends TCA Title 36; Title 37 and Title 39, Chapter 15.

### **Senate Bill No. 1123** by Senator Marrero.

Criminal Offenses -- As introduced, establishes a formula for determining restitution owed to a victim of involuntary servitude that is based on comparable wages paid for the labor performed. Amends TCA Section 37-1-403 and Title 39, Chapter 13, Part 3.

### **Senate Bill No. 1124** by Senator Marrero.

Education -- As introduced, states that the Commissioner of Education shall require all high schools to allow eligible students 18 to 20 years of age to voluntarily enroll and attend school. Amends TCA Title 49.

### **Senate Bill No. 1125** by Senator Marrero.

Foster Care -- As introduced, clarifies that no preference shall be given a child's relatives when a child has resided in a foster home for at least one year prior to the filing of the foster parents' adoption petition. Amends TCA Title 36; Title 37, Chapter 1; Title 37, Chapter 2; Title 37, Chapter 3 and Title 37, Chapter 5.

### **Senate Bill No. 1126** by Senator Marrero.

Children's Services, Dept. of -- As introduced, clarifies that confidential records and information maintained by the Department of Children's Services that shall be disclosed to members of the general assembly includes information contained in any internal audit conducted by the department. Amends TCA Title 37.

### **Senate Bill No. 1127** by Senator Marrero.

Education, Higher -- As introduced, adds board of trustees for the University of Tennessee System and board of regents as recipients of THEC's annual report on scholarship and grant programs data. Amends TCA Title 49.

### **Senate Bill No. 1128** by Senator Marrero.

Welfare -- As introduced, requires comptroller to conduct a performance audit of the implementation and impact of current law authorizing the Commissioner of Finance and Administration to implement policies and processes to expedite the determination of medicaid categorical and financial eligibility and medical eligibility for home and community-based programs and services. Amends TCA Title 71, Chapter 5.

### **Senate Bill No. 1129** by Senator Marrero.

Child Abuse -- As introduced, requires the district attorney general of each judicial district to report on child protective teams to the Judiciary Committees of the Senate and House of Representatives by February 15 of each year, rather than January 15. Amends TCA Section 37-1-607.

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### **Senate Bill No. 1130** by Senator Marrero.

Child Custody and Support -- As introduced, makes various changes to the requirements for parenting plans and allocation of parenting responsibilities in situations involving domestic violence or sexual abuse. Amends TCA Title 36, Chapter 6, Part 4.

### **Senate Bill No. 1131** by Senator Marrero.

Child Abuse -- As introduced, requires law enforcement investigating child abuse or child sexual abuse to be trained in child protective investigations whenever possible and requires Department of Children's Services to annually conduct such training. Amends TCA Title 37, Chapter 1, Part 4 and Title 37, Chapter 1, Part 6.

### **Senate Bill No. 1132** by Senator Marrero.

Human Rights -- As introduced, adds sexual orientation to the list of characteristics on which discrimination is prohibited in employment, public accommodations, and housing and financing. Amends TCA Title 4, Chapter 21; Title 8 and Title 50.

### **Senate Bill No. 1133** by Senator Marrero.

Animal Control -- As introduced, requires owners, harborers, and keepers of dangerous, vicious, or wild animals to restrain or confine such animals, and to post visible notice; establishes certain penalties and defenses for violations. Amends TCA Title 39 and Title 44.

### **Senate Bill No. 1134** by Senator Marrero.

Animal Control -- As introduced, requires owners of dangerous and vicious dogs to secure minimal liability insurance. Amends TCA Title 44, Chapter 8.

### **Senate Bill No. 1135** by Senator Marrero.

Animal Control -- As introduced, requires all owners of dangerous, vicious, and wild animals to secure minimal liability insurance of \$100,000 within 60 days from the date the owner knows or should reasonably know that the animal is a dangerous, vicious, or wild animal. Amends TCA Title 39 and Title 44.

### **Senate Bill No. 1136** by Senator Marrero.

Workers' Compensation -- As introduced, modifies the surcharge on premiums for workers' compensation insurance policies issued by an insurance carrier for the administration of TOSHA. Amends TCA Title 50, Chapter 6 and Title 56.

### **Senate Bill No. 1137** by Senator Marrero.

Criminal Offenses -- As introduced, makes an owner of a potentially vicious or vicious dog who fails to microchip such dog within 30 days of the dog being classified as a potentially vicious or vicious dog subject to a Class C misdemeanor, punishable by fine only. Amends TCA Title 39 and Title 44.

### **Senate Bill No. 1138** by Senator Marrero.

Animal Control -- As introduced, creates an offense for certain felons if such felons own certain dangerous animals within 10 years of release. Amends TCA Title 39; Title 40 and Title 44.

### **Senate Bill No. 1139** by Senator Marrero.

Schools, Charter -- As introduced, expands student population eligible to attend charter schools to include certain children who have been in foster care. Amends TCA Section 49-13-106 and Section 49-13-113.

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**Senate Bill No. 1140** by Senator Summerville.

Game and Fish Laws -- As introduced, requires TWRA to promulgate reasonable rules and regulations to promote commercial fishing activity as an economically viable commercial enterprise in Tennessee; establishes certain requirements for roe fishing; creates an advisory committee to aid TWRA in developing rules related to commercial fishing and roe fishing. Amends TCA Title 70, Chapter 2.

**Senate Bill No. 1141** by Senator Henry.

Taxes, Real Property -- As introduced, extends certain property tax assessment remedies for disaster damage. Amends TCA Section 67-5-604 and Section 67-5-606.

**Senate Bill No. 1142** by Senator Henry.

Traffic Safety -- As introduced, eliminates a minimum and maximum range of fines for obscene displays on motor vehicles and specifies that the fine is a flat \$50.00. Amends TCA Section 55-8-187.

**Senate Bill No. 1143** by Senator Henry.

Consumer Protection -- As introduced, requires homeowner's associations to provide and maintain insurance and report information quarterly or as requested in writing. Amends TCA Title 47, Chapter 18.

**Senate Bill No. 1144** by Senator Henry.

Alcoholic Beverages -- As introduced, allows theater in Davidson County to sell alcoholic beverages for consumption on premises. Amends TCA Section 57-4-102.

**Senate Bill No. 1145** by Senator Henry.

Medical Occupations -- As introduced, provides that any market comparisons used by an independent appraiser in determining the fair market value of a medical practice subject to repurchase shall be commercially reasonable. Amends TCA Section 63-6-204.

**Senate Bill No. 1146** by Senator Henry.

Medical Occupations -- As introduced, identifies reasons other than breach of contract for which restrictions on employment agreements with physicians are void. Amends TCA Section 63-6-204.

**Senate Bill No. 1147** by Senator Henry.

Health Care -- As introduced, creates a catastrophic trauma fund for persons with motorcycle-related injuries. Amends TCA Title 55.

**Senate Bill No. 1148** by Senator Gresham.

Child Abuse -- As introduced, requires a child advocacy center to perform the initial forensic interview with a child who is the victim of alleged child sexual abuse and any subsequent interviews found necessary by the child protective team to be conducted in a neutral setting whenever possible. Amends TCA Title 37.

**Senate Bill No. 1149** by Senator Gresham.

Child Abuse -- As introduced, allows a court to prohibit any person convicted of child abuse or aggravated child abuse from contacting such person's victim if the person does not have any parental rights to such victim. Amends TCA Title 38; Title 39; Title 40 and Title 41.

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### **Senate Bill No. 1150** by Senator Gresham.

Child Abuse -- As introduced, establishes rebuttable presumption that returning an abused or neglected child to the custody of abusive or neglectful parent is not in the best interest of the child. Amends TCA Title 36, Chapter 6; Title 37 and Title 39, Chapter 15, Part 4.

### **Senate Bill No. 1151** by Senator Johnson.

Public Funds and Financing -- As introduced, enacts the "Tax Increment Financing Act of 2011". Amends TCA Title 7, Chapter 53; Title 9; Title 13, Chapter 20 and Chapter 987 of the Public Acts of 1998.

### **Senate Bill No. 1152** by Senator Watson.

Public Funds and Financing -- As introduced, revises provisions under the Local Government Public Obligations Act of 1986 regarding invalid obligations. Amends TCA Title 9, Chapter 21.

### **Senate Bill No. 1153** by Senator Johnson.

School Districts, Special -- As introduced, revises process taken if additional revenue is needed in a special school district after an adjustment of the ad valorem tax rate; specifies that present law regarding tax rates in special school districts would apply to all counties instead of only to counties with less than 50,000 people. Amends TCA Section 67-5-1704.

### **Senate Bill No. 1154** by Senator Ketron.

County Government -- As introduced, removes requirement that county legislative bodies must have typed or printed a description of the boundaries of county districts. Amends TCA Section 5-1-110.

### **Senate Bill No. 1155** by Senator Johnson.

Public Funds and Financing -- As introduced, requires that amendments to any resolution that created a local government audit committee must be submitted to the comptroller for review and comment in same manner as the creating resolution under present law. Amends TCA Title 9, Chapter 3, Part 4.

### **Senate Bill No. 1156** by Senator Beavers.

Public Funds and Financing -- As introduced, authorizes state funding board to require public entities to adopt the model finance transaction policies created by the board and clarifies that such policies would include budgeting and capital planning, finance transaction management, investment, and risk management. Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 9.

### **Senate Bill No. 1157** by Senator Ketron.

Public Contracts -- As introduced, delays the implementation of last year's bill concerning the procurement commission and related topics; makes substantive changes in certain parts of last year's bill. Amends TCA Title 4, Chapter 56; Title 12, Chapter 3; Title 12, Chapter 4; Title 12, Chapter 2; Title 41, Chapter 22, Part 4; Title 71, Chapter 4, Part 7 and Chapter 1098 of the Public Acts of 2010.

### **Senate Bill No. 1158** by Senator Norris.

Mortgages -- As introduced, adds exceptions to the licensure requirements under the Tennessee Residential Lending, Brokerage and Servicing Act. Amends TCA Title 45, Chapter 13.

### **Senate Bill No. 1159** by Senator Norris.

Election Laws -- As introduced, authorizes County Election Commissions to use ballot-on-demand printers during early voting periods upon a majority vote of the county legislative body approving such use; establishes a standard for the printing of a sufficient number of ballots for any election. Amends TCA Section 2-20-105.

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### **Senate Bill No. 1160** by Senator Norris.

Taxes, Exemption and Credits -- As introduced, enacts the "Tennessee Music Recording Investment Incentive Act". Amends TCA Title 4, Chapter 3.

### **Senate Bill No. 1161** by Senator Norris.

Taxes, Exemption and Credits -- As introduced, creates exemption from excise and franchise tax for entities owned by a branch of the U.S. Armed Forces that derive more than half of gross income from operation of facilities located on federally owned or leased property and operate primarily to benefit armed forces members. Amends TCA Title 67, Chapter 2 and Title 67, Chapter 4.

### **Senate Bill No. 1162** by Senator Norris.

Redistricting, Congressional -- As introduced, requires compliance with state and federal constitutions as well as judicial decisions in passing congressional redistricting plan. Amends TCA Title 2, Chapter 16, Part 1 and Title 3, Chapter 1, Part 1.

### **Senate Bill No. 1163** by Senator Norris.

Education -- As introduced, removes annual reporting requirement of the State Board of Education on the weight of textbooks. Amends TCA Title 49.

### **Senate Bill No. 1164** by Senator Norris.

Bail, Bail Bonds -- As introduced, creates the "Citizens' Right to Know: Pretrial Release Program" as a three-year pilot project in any county having a population in excess of 300,000. Amends TCA Title 40.

### **Senate Bill No. 1165** by Senator Norris.

Municipal Government -- As introduced, increases penalty for misuse of municipal sidewalk from Class C to Class B misdemeanor. Amends TCA Title 7.

### **Senate Bill No. 1166** by Senator Norris.

Taxes, Ad Valorem -- As introduced, provides for the redemption of certain property of tax sales which is situated in federally designated qualified census tracts within Shelby County. Amends TCA Title 67, Chapter 5.

### **Senate Bill No. 1167** by Senator Norris.

Traffic Safety -- As introduced, requires that local governments employing traffic enforcement cameras make required signage in advance of such cameras visible and conspicuous; requires that citations state fine amount and additional fees or court costs separately. Amends TCA Title 5; Title 6; Title 7 and Title 55, Chapter 8.

### **Senate Bill No. 1168** by Senator Norris.

Public Records -- As introduced, authorizes a local government's legislative body to designate certain records as proprietary information, and thereby not subject to public records law. Amends TCA Title 5; Title 6; Title 7 and Title 10, Chapter 7.

### **Senate Bill No. 1169** by Senator Berke.

Highways, Roads and Bridges -- As introduced, authorizes pregnant females to drive in HOV lanes without additional passengers in the motor vehicle. Amends TCA Section 55-8-188.

### **Senate Bill No. 1170** by Senator Berke.

Business Organizations -- As introduced, exempts any new LLCs or foreign LLCs from the initial filing fees associated with articles of organization or other documents filed with the secretary of

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state; requires an annual fee thereafter. Amends TCA Title 48, Chapter 249; Title 48, Chapter 246 and Title 48, Chapter 247, Part 1.

**Senate Bill No. 1171** by Senator Berke.

Traffic Safety -- As introduced, broadens requirement that drivers exercise due care to apply to bicyclists; enhances penalty for certain traffic violations that cause serious bodily injury or death. Amends TCA Title 55, Chapter 8.

**Senate Bill No. 1172** by Senator Berke.

Divorce, Annulment and Alimony -- As introduced, clarifies various provisions relating to divorce and custody proceedings. Amends TCA Title 29 and Title 36.

**Senate Bill No. 1173** by Senator Berke.

Insurance Companies, Agents, Brokers, Policies -- As introduced, requires that for purposes of determining the maximum dollar amount of an insurance policy when converting an insurance policy, the amount of such policy shall be rounded up to \$20.00 instead of \$10.00. Amends TCA Title 56.

**Senate Bill No. 1174** by Senator Berke.

Education -- As introduced, changes the date on which the department of education must publish its annual report from November 1 to July 1. Amends TCA Section 49-1-211.

**Senate Bill No. 1175** by Senator Berke.

Consumer Protection -- As introduced, prohibits a lessor from charging more than two and a half times the cash price of any merchandise subject to a rental-purchase agreement; requires lessor to keep records of lessor's cost for the merchandise; provides that violation results in the agreement being voided and retention of the merchandise by the consumer. Amends TCA Title 47, Chapter 18.

**Senate Bill No. 1176** by Senator Berke.

Public Funds and Financing -- As introduced, enacts the "Tennessee Food Desert Relief Act". Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9; Title 13; Title 67, Chapter 5 and Title 68.

**Senate Bill No. 1177** by Senator Berke.

Taxes, Sales -- As introduced, enacts the Tennessee High Growth Sustainable Jobs Act. Amends TCA Title 50; Title 66 and Title 67.

**Senate Bill No. 1178** by Senator Berke.

Health, Dept. of -- As introduced, directs the Commissioner of Health to develop a plan for ensuring that 90 percent of pregnant women in this state have access to prenatal care and to report concerning such plan to the House Health and Human Resources Committee and the Senate General Welfare, Health and Human Resources Committee by February 1, 2011. Amends TCA Title 56; Title 68 and Title 71.

**Senate Bill No. 1179** by Senator Ketron.

Credit, Consumer -- As introduced, authorizes specified fees relative to deferred presentment services. Amends TCA Section 45-17-112.

**Senate Bill No. 1180** by Senator Gresham.

Education -- As introduced, requires the Commissioner of Education and executive director of the Tennessee Higher Education Commission to present annual progress reports on Tennessee Challenge 2000 goals by March 15 to the select joint committee on education and Education Committees of the House and Senate. Amends TCA Title 8 and Title 49.

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**Senate Bill No. 1181** by Senator Gresham.

Schools, Charter -- As introduced, allows cities that do not operate city school systems to sponsor charter schools. Amends TCA Title 49, Chapter 13.

**Senate Bill No. 1182** by Senator Burks.

Domestic Violence -- As introduced, requires health care practitioners to report patient injuries caused or suspected to be caused by domestic violence or abuse to the department of health within 15 days of the date the practitioner has knowledge or suspects the cause of such injuries are the result of such violence or abuse rather than on a monthly basis. Amends TCA Title 36; Title 39 and Title 40.

**Senate Bill No. 1183** by Senator Burks.

Domestic Violence -- As introduced, specifies that injuries to domestic violence victims and sexual assault victims shall not be reported to law enforcement unless the injured person consents to a report. Amends TCA Title 38, Chapter 1, Part 1.

**Senate Bill No. 1184** by Senator Burks.

Law Enforcement -- As introduced, exempts information concerning adult victims of domestic abuse or sexual assault from being mandatorily reported by doctors and hospitals to law enforcement unless the patient consents to such reporting. Amends TCA Section 38-1-101.

**Senate Bill No. 1185** by Senator Burks.

Tort Liability and Reform -- As introduced, defines "Fairfield Glade" as a governmental entity under the Governmental Tort Liability Act. Amends TCA Title 29, Chapter 20.

**Senate Bill No. 1186** by Senator Burks.

Civil Procedure -- As introduced, revises provisions for auctioneer's fee at judicial sales of real or personal property. Amends TCA Section 35-5-112.

**Senate Bill No. 1187** by Senator Burks.

Guardianship -- As introduced, allows certain fiduciaries and related persons to purchase property of a minor or disabled person without court approval when it is done by public auction. Amends TCA Section 34-1-116.

**Senate Bill No. 1188** by Senator Woodson.

Taxes, Alcoholic Beverages -- As introduced, requests the commissioner of revenue to explore the possibility of developing an on-line filing system which would permit the automatic deduction from the collector's business account for the payment of the tax due on sales of mixed drinks and setups upon the filing of the monthly statement by the collector where the collector has supplied the commissioner with the collector's bank account number, the bank transit routing symbols and number and an authorized signature as filed with the payee bank. Amends TCA Section 67-4-410.

**Senate Bill No. 1189** by Senator Campfield.

Agriculture -- As introduced, expands the Dairy Industry Promotion Act to include organic milk and milk products.

**Senate Bill No. 1190** by Senator Campfield.

Agriculture -- As introduced, requires plants and seeds sold in Tennessee to be labeled to indicate open pollination, genetic modification, or hybridization. Amends TCA Title 43.



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### **Senate Bill No. 1191** by Senator Yager.

Animal Control -- As introduced, requires owners of Class I wildlife in Roane County to attach tracking devices to the animals. Amends TCA Title 70, Chapter 4, Part 4.

### **Senate Bill No. 1192** by Senator Yager.

Wildlife Resources Commission -- As introduced, authorizes Roane County officials to accompany wildlife resources agency personnel on inspections of facilities where Class I wildlife are kept. Amends TCA Title 70, Chapter 4, Part 4.

### **Senate Bill No. 1193** by Senator Yager.

Harriman -- As introduced, subject to local approval, permits the city of Harriman to raise its occupancy tax from a rate not to exceed 5 percent to a rate not to exceed 7 percent. Amends Chapter 115 of the Private Acts of 1995.

### **Senate Bill No. 1194** by Senator Yager.

Industrial Development -- As introduced, increases from 30 to 50 years the maximum period of time that an economic impact plan can provide for allocating property taxes to a county industrial development corporation. Amends TCA Title 7, Chapter 53, Part 3.

### **Senate Bill No. 1195** by Senator Yager.

Intellectual & Developmental Disabilities -- As introduced, makes technical changes to remaining terms involving mental retardation and the division of intellectual disabilities services to reflect changes made by 2010 Public Chapters 734 and 1100. Amends TCA Title 5; Title 10; Title 12; Title 13; Title 33; Title 40; Title 48; Title 49; Title 55; Title 56; Title 63; Title 68 and Title 71.

### **Senate Bill No. 1196** by Senator Yager.

Intellectual & Developmental Disabilities -- As introduced, provides for additional notice to legislative committees, lengthens certain reporting deadlines and authorizes additional assistance to the commissioner of intellectual and developmental disabilities concerning determining the fiscal impact of certain changes impacting certain licensees of the department of mental health. Amends TCA Title 33; Title 63 and Title 68.

### **Senate Bill No. 1197** by Senator Yager.

Courts -- As introduced, allows any person who provides satisfactory proof that such person graduated from a court reporting program prior to January 1, 2010, to be licensed to practice as a court reporter. Amends TCA Title 20, Chapter 9, Part 6.

### **Senate Bill No. 1198** by Senator Yager.

Firearms and Ammunition -- As introduced, permits UT or TBR's farm employees to carry weapons on farms owned, used or operated by public higher education institutions. Amends TCA Section 39-17-1309.

### **Senate Bill No. 1199** by Senator Yager.

Real Property -- As introduced, increases from three to four years the time period an owner must not have resided at transferred property to be exempt from residential property disclosure. Amends TCA Title 66, Chapter 5.

### **Senate Bill No. 1200** by Senator Yager.

Real Estate Agents and Brokers -- As introduced, deletes requirement that executive director of the Real Estate Commission have passed the broker's examination. Amends TCA Title 62, Chapter 13.

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**Senate Bill No. 1201** by Senator Yager.

Sentencing -- As introduced, enhances the offense of aggravated assault where death results from Class C or Class D felony to Class B felony. Amends TCA Title 39 and Title 40.

**Senate Bill No. 1202** by Senator Yager.

Pest Control -- As introduced, adds a horticulturist and a person with ornamental lawn and turf experience to the pest control board. Amends TCA Title 62, Chapter 21.

**Senate Bill No. 1203** by Senator Yager.

Election Laws -- As introduced, delays the implementation of the Tennessee Voter Confidence Act until the general assembly includes a specific appropriation in the General Appropriations Act to cover all increased costs to counties directly attributable to such act. Amends TCA Title 2.

**Senate Bill No. 1204** by Senator Yager.

Motor Vehicles -- As introduced, authorizes the Commissioner of Commerce and Insurance to promulgate rules pertaining to automobile clubs and associations. Amends TCA Title 55.

**Senate Bill No. 1205** by Senator Yager.

Tourism -- As introduced, enacts the "Tennessee Adventure Tourism and Rural Development Act of 2011". Amends TCA Title 4; Title 5; Title 6; Title 11; Title 54; Title 55; Title 67; Title 68 and Title 70.

**Senate Bill No. 1206** by Senator Yager.

Taxes, Exemption and Credits -- As introduced, increases exemptions from Hall Income Tax for single filers from \$1,250 to \$2,400 and for joint filers from \$2,500 to \$4,800. Amends TCA Title 67, Chapter 2.

**Senate Bill No. 1207** by Senator Yager.

Taxes, Income -- As introduced, eliminates Hall Income Tax for tax years 2012 and thereafter. Amends TCA Title 67, Chapter 2.

**Senate Bill No. 1208** by Senator Yager.

Juries and Jurors -- As introduced, allows Morgan County to use jury coordinators instead of jury commissioners for the selection and attendance of jurors. Amends TCA Section 22-2-101.

**Senate Bill No. 1209** by Senator Yager.

Highway Signs -- As introduced, designates segment of U.S. Highway 27 in Rhea County as "Tyler Leon Sneed Memorial Highway".

**Senate Bill No. 1210** by Senator Yager.

Pest Control -- As introduced, revises the manner in which a person applying pesticides may be supervised. Amends TCA Section 62-21-102.

**Senate Bill No. 1211** by Senator Yager.

Attorney General and Reporter -- As introduced, creates the office of solicitor general of Tennessee in the executive branch, and beginning with the November 2012 election to be elected by the qualified voters of this state, with all current duties of the attorney general and reporter, other than activities associated with reporting functions, transferred to the office of solicitor general. Amends TCA Title 8, Chapter 6.

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### **Senate Bill No. 1212** by Senator Yager.

Attorney General and Reporter -- As introduced, creates the office of solicitor general of Tennessee in the executive branch to be appointed by joint vote of the general assembly, with all current duties of the attorney general and reporter, other than activities associated with reporting functions, transferred to the office of solicitor general. Amends TCA Title 8, Chapter 6.

### **Senate Bill No. 1213** by Senator Yager.

Juries and Jurors -- As introduced, makes the jury coordinator law applicable to Morgan County, which was previously excluded from such law. Amends TCA Title 22.

### **Senate Bill No. 1214** by Senator Yager.

Jails, Local Lock-ups -- As introduced, requires that a county receive no less than \$40.00 per day per state prisoner housed in such county's correctional facilities. Amends TCA Section 41-8-106.

### **Senate Bill No. 1215** by Senator Yager.

Municipal Government -- As introduced, extends allowing municipality to expand its urban growth boundaries to include tracts of land that are 10 acres or smaller when certain criteria are met until July 1, 2013. Amends TCA Title 6.

### **Senate Bill No. 1216** by Senator Yager.

County Government -- As introduced, removes restrictions on county redesignating county mayor as county executive; specifies duties for county attorney. Amends TCA Title 5.

### **Senate Bill No. 1217** by Senator Yager.

Public Employees -- As introduced, requires development and periodical offering of seminars to state employees on financial planning and utilization of state benefits as part of such financial plan. Amends TCA Title 8.

### **Senate Bill No. 1218** by Senator Yager.

Campaigns and Campaign Finance -- As introduced, clarifies the period of time included in statements filed prior to primary and general elections; clarifies that an unexpended balance of contributions in a deceased candidate's campaign account may be allocated to any institution of public or private education in the state. Amends TCA Title 2, Chapter 10.

### **Senate Bill No. 1219** by Senator Yager.

Open Meetings -- As introduced, clarifies that any legal authority shall be cited in the written denial of a public records request. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 10.

### **Senate Bill No. 1220** by Senator Yager.

Election Laws -- As introduced, increases size of voting precincts from 5,000 registered voters to 6,000 registered voters; requires one voting machine for every 800 registered voters instead of 1,000 voters. Amends TCA Title 2.

### **Senate Bill No. 1221** by Senator Yager.

Ethics -- As introduced, allows ethics commission or commission staff to provide information on the status of a complaint to the named complainant and to the alleged violator. Amends TCA Title 2, Chapter 10; Title 3, Chapter 6; Title 4, Chapter 55 and Title 8, Chapter 50, Part 5.

### **Senate Bill No. 1222** by Senator Yager.

Correction, Dept. of -- As introduced, requires counties receiving correctional incentive subsidies to submit an accounting of such expenditures to the commissioner; if the facility has not been certified

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pursuant to state jail standards, prohibits grant of future subsidies unless required expenditures are made; authorizes the commissioner to reimburse counties for actual improvement expenditures. Amends TCA Title 41.

**Senate Bill No. 1223** by Senator Yager.

Veterans' Affairs, Dept. of -- As introduced, creates state veterans' burial assistance fund to be administered by Commissioner of Veterans' Affairs; funds shall consist of any funds from U.S. Veterans' Affairs for plot allowance for burials of state veterans and dependents and any state appropriation or private donation. Amends TCA Section 8-30-306; Section 49-7-102; Title 58, Chapter 7; Title 58, Chapter 3 and Section 67-5-704.

**Senate Bill No. 1224** by Senator Yager.

Alcoholic Beverages -- As introduced, decreases from two to one the number of years that an individual, shareholder, or transferee must reside in Tennessee following an application for a retail liquor store license; decreases from 10 to five the number of years that an individual, shareholder or transferee must have resided in Tennessee to receive a retail liquor store license. Amends TCA Title 57.

**Senate Bill No. 1225** by Senator Yager.

Election Laws -- As introduced, calls for a run-off election in the event that there is a tie for county or civil district office. Amends TCA Title 2.

**Senate Bill No. 1226** by Senator Yager.

Uniform Laws -- As introduced, enacts the "Uniform Military and Overseas Voters Act". Amends TCA Title 2.

**Senate Bill No. 1227** by Senator Yager.

Ethics -- As introduced, revises filing deadlines for employer disclosure reports from within 45 days of March 31 and September 30 to within 45 days of June 30 and December 31. Amends TCA Title 3, Chapter 6.

**Senate Bill No. 1228** by Senator Yager.

State Government -- As introduced, inserts a statutory citation in regard to a reference to the board of claims in provisions regarding insurance for the state. Amends TCA Title 9, Chapter 8 and Title 12, Chapter 3, Part 9.

**Senate Bill No. 1229** by Senator Yager.

Death -- As introduced, authorizes a county mayor to dispose of certain deceased persons by cremation or burial if there is no objection to the contrary. Amends TCA Section 68-4-103.

**Senate Bill No. 1230** by Senator Yager.

Pensions and Retirement Benefits -- As introduced, authorizes lump sum death benefit to beneficiary for noncontributory member dying prior to retirement as if such member had been a contributory member. Amends TCA Section 8-36-107.

**Senate Bill No. 1231** by Senator Yager.

Oneida -- As introduced, authorizes Oneida Special School District to issue bonds.

**Senate Bill No. 1232** by Senator Yager.

Pensions and Retirement Benefits -- As introduced, increases cash amount higher education employee in an optional retirement program may withdraw upon terminating employment from 50% to 100% of such employee's accumulated account. Amends TCA Title 8, Chapter 35, Part 4.

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### **Senate Bill No. 1233** by Senator Yager.

Education, Higher -- As introduced, provides that veterans or current members of the United States Armed Forces who are not residents of Tennessee shall be classified as out-of-state students but shall not be charged out-of-state tuition rates. Amends TCA Title 49.

### **Senate Bill No. 1234** by Senator Yager.

Criminal Procedure -- As introduced, abolishes pretrial diversion and alters the definition of "qualified defendant" for probation purposes. Amends TCA Title 39; Title 40 and Title 41.

### **Senate Bill No. 1235** by Senator Yager.

Alcoholic Beverages -- As introduced, authorizes a licensed wholesaler holding a basic permit under the Federal Alcohol Administration Act as an importer to import alcoholic beverages and wine under certain circumstances; permits a licensed wholesaler to deliver alcoholic beverages and wine by common carrier to a retailer only in certain quantities. Amends TCA Title 57, Chapter 3.

### **Senate Bill No. 1236** by Senator Yager.

Criminal Procedure -- As introduced, requires that a defendant pay \$250 upfront prior to making an agreement with the prosecution to suspend prosecution. Amends TCA Title 40.

### **Senate Bill No. 1237** by Senator Yager.

Lottery, Scholarships and Programs -- As introduced, permits home school students to obtain HOPE scholarships as entering freshmen if such students achieve a high school GPA of 3.0 or an ACT score of 21. Amends TCA Section 49-4-908.

### **Senate Bill No. 1238** by Senator Yager.

Taxes, Income -- As introduced, establishes tax credit for angel investors who invest in qualified Tennessee businesses. Amends TCA Title 67, Chapter 2.

### **Senate Bill No. 1239** by Senator Yager.

Regional Authorities and Special Districts -- As introduced, requires advisory committee, if appointed, to East Tennessee Regional Agribusiness Marketing Authority to consult with and advise the board on at least a bi-annual basis. Amends TCA Title 64.

### **Senate Bill No. 1240** by Senator Yager.

Alcoholic Beverages -- As introduced, clarifies that the term "intoxicating liquors" does not apply to any beverage with alcohol content by weight of 5 percent or less. Amends TCA Title 57.

### **Senate Bill No. 1241** by Senator Yager.

Prisoners and Inmates -- As introduced, clarifies that inmates and their baggage are to be searched for all contraband, not just instruments of escape. Amends TCA Title 41.

### **Senate Bill No. 1242** by Senator Yager.

Holidays and Days of Special Observance -- As introduced, redesignates the second Monday in September each year as "American Indian Day" instead of the fourth Monday in September each year. Amends TCA Title 15.

### **Senate Bill No. 1243** by Senator Yager.

Development Districts -- As introduced, requires the county building commissioner to return by mail a copy of a certificate of insurance or workers' compensation policy within 15 working days, instead of 10 working days, to the person who obtained the permit. Amends TCA Title 13.

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**Senate Bill No. 1244** by Senator Yager.

State Government -- As introduced, requires that electronic copies of the state-owned property inventory be provided to designated officials as well as paper copies. Amends TCA Title 12.

**Senate Bill No. 1245** by Senator Yager.

Natural Disasters -- As introduced, redefines "natural emergency" to specifically include forest fires, hurricanes, and tornadoes. Amends TCA Title 58.

**Senate Bill No. 1246** by Senator Yager.

Administrative Procedure (UAPA) -- As introduced, increases the number of interested persons necessary to petition an agency requesting the adoption, amendment, or repeal of a rule from five or more to 10 or more. Amends TCA Title 4.

**Senate Bill No. 1247** by Senator Yager.

Public Records -- As introduced, requires the chief administrative officer of each entity subject to public records to inform employees and appointees about the requirements of state law concerning public records and the entities' policies for administering public records statutes. Amends TCA Title 10.

**Senate Bill No. 1248** by Senator Yager.

State Employees -- As introduced, requires development and periodical offering of seminars to state employees on financial planning and utilization of state benefits as part of such financial plan. Amends TCA Title 8.

**Senate Bill No. 1249** by Senator Yager.

Regional Authorities and Special Districts -- As introduced, requires every railroad operating trains within the state to notify the commissioner of transportation of the telephone number of its registered agent for service of process. Amends TCA Title 7.

**Senate Bill No. 1250** by Senator Yager.

Annexation -- As introduced, increases from 30 days to 40 days time period prior to effectiveness of a municipal annexation ordinance. Amends TCA Title 6.

**Senate Bill No. 1251** by Senator Yager.

County Officers -- As introduced, adds to the duties of the county attorney the duty to consult with and advise other elected county officials, their deputies and their employees as to the application and enforcement of federal and state laws pertinent to carrying out their official duties. Amends TCA Title 5.

**Senate Bill No. 1252** by Senator Yager.

Lottery, Charitable -- As introduced, requires annual event tickets to include either the mailing address or telephone number of the 501(c)(3) organization in addition to the name of the 501(c)(3) organization. Amends TCA Title 3.

**Senate Bill No. 1253** by Senator Yager.

Election Laws -- As introduced, requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. Amends TCA Title 2.

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### **Senate Bill No. 1254** by Senator Yager.

Budget Procedures -- As introduced, requires the general assembly to provide funding for unfunded mandates which place increased expenditures over certain amounts on local governments; prohibits an agency of state government from creating a new fee in any year in which the general state revenues to the agency have decreased from the previous year. Amends TCA Title 4, Chapter 5, Part 2 and Title 9, Chapter 4, Part 53.

### **Senate Bill No. 1255** by Senator Yager.

Election Laws -- As introduced, expands state election commission to seven members permanently. Amends TCA Title 2, Chapter 11, Part 1.

### **Senate Bill No. 1256** by Senator Yager.

Special License Plates -- As introduced, authorizes issuance of two memorial license plates to recipients of the Distinguished Flying Cross and the Air Medal. Amends TCA Title 55, Chapter 4.

### **Senate Bill No. 1257** by Senator Yager.

Motor Vehicles, Titling and Registration -- As introduced, authorizes licensing of certain all-terrain vehicles (ATVs); allows local governments to authorize use of such ATVs on certain public highways. Amends TCA Title 55.

### **Senate Bill No. 1258** by Senator Yager.

Physicians and Surgeons -- As introduced, establishes regulation of pain management clinics. Amends TCA Title 63.

### **Senate Bill No. 1259** by Senator Yager.

Municipal Government -- As introduced, removes the authority for a municipality to build powder magazines at a safe and prudent distance from the limits of the corporation. Amends TCA Title 6.

### **Senate Bill No. 1260** by Senator Yager.

Local Government, General -- As introduced, increases the penalty for failure to pay a special assessment or installment levied by a local government on property located within a central business improvement district from 0.5% per month of the amount of such assessment or installment to 1%. Amends TCA Title 7.

### **Senate Bill No. 1261** by Senator Yager.

Taxes, Personal Property -- As introduced, for purposes of property tax classification and assessment, provides that real property does not include property determined by Tennessee courts to be personal property. Amends TCA Title 67.

### **Senate Bill No. 1262** by Senator Watson.

Education, Higher -- As introduced, removes authorization of graduate students in audiology at public institutions of higher education to evaluate, prescribe and dispense hearing aids; removes prohibition on employees of hearing centers at public institutions of higher education serving private-practice patients in publicly-owned facilities or referring patients to their own private practices. Amends TCA Title 49, Chapter 7, Part 27.

### **Senate Bill No. 1263** by Senator Watson.

Local Government, General -- As introduced, enacts the "Electronic Publication of Legal Notices Act of 2011"; applies only to Hamilton County and municipalities located in Hamilton County. Amends TCA Title 6, Chapter 54 and Title 8, Chapter 21.

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**Senate Bill No. 1264** by Senator Watson.

Revenue, Dept. of -- As introduced, transfers contested case hearings currently under jurisdiction of the department of revenue to the office of the secretary of state. Amends TCA Title 4, Chapter 5 and Title 67.

**Senate Bill No. 1265** by Senator Beavers.

Criminal Offenses -- As introduced, expands the definition of "child endangerment" to include exposing a child to initiation of the manufacture of methamphetamine. Amends TCA Title 39 and Title 40.

**Senate Bill No. 1266** by Senator Beavers.

Criminal Offenses -- As introduced, specifies that knowingly exposing a child to the making of methamphetamine is aggravated child endangerment. Amends TCA Title 39 and Title 40.

**Senate Bill No. 1267** by Senator Beavers.

Criminal Offenses -- As introduced, authorizes enhanced penalties for promoting the manufacture of methamphetamine or initiating the process of manufacture of methamphetamine in a school zone. Amends TCA Title 39 and Title 40.

**Senate Bill No. 1268** by Senator Beavers.

Sentencing -- As introduced, requires that 100% of the sentence imposed for attempts to commit murder in the first degree shall be served, minus certain credits; prohibits release eligibility for persons committing such offenses. Amends TCA Title 39 and Title 40.

**Senate Bill No. 1269** by Senator Beavers.

DUI Offenses -- As introduced, provides that if a person with a prior DUI commits another one and is being released on bail, rather than denying bond because the defendant poses a danger to the community, the court or judicial commissioner may set conditions on the bond to eliminate the danger posed by the defendant. Amends TCA Title 40, Chapter 11.

**Senate Bill No. 1270** by Senator Beavers.

Alcohol Offenses, Motor Vehicles -- As introduced, permits an officer to test the blood alcohol content of certain drivers regardless of whether they consent. Amends TCA Title 39; Title 40 and Title 55.

**Senate Bill No. 1271** by Senator Ketron.

Driver Licenses -- As introduced, authorizes certain persons with a disability to obtain photo identification license upon proof of identity to the satisfaction of the Commissioner of Safety. Amends TCA Title 55, Chapter 50, Part 3.

**Senate Bill No. 1272** by Senator Ketron.

Zoning -- As introduced, prohibits rezoning of private property by local government without written consent of property owner. Amends TCA Section 13-7-208.

**Senate Bill No. 1273** by Senator Ketron.

Alcoholic Beverages -- As introduced, authorizes alcoholic beverages for consumption on the premises in unincorporated areas of a county if the county conducts an election and limits the election, as provided by law, to those persons residing in such unincorporated areas. Amends TCA Title 57, Chapter 4, Part 1.



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### **Senate Bill No. 1274** by Senator Ketron.

Alcoholic Beverages -- As introduced, authorizes a manufacturer of intoxicating liquors or drinks in certain localities to be issued a license by the Alcoholic Beverage Commission for on-premises consumption of the liquors or drinks produced at the licensed facility. Amends TCA Section 57-2-103.

### **Senate Bill No. 1275** by Senator Ketron.

Alcoholic Beverages -- As introduced, expands the definition of historic performing arts center to permit the sale of alcoholic beverages and wine at the Relix Variety Theatre located in the downtown north redevelopment zone of Knoxville. Amends TCA Section 57-4-102.

### **Senate Bill No. 1276** by Senator Ketron.

Alcoholic Beverages -- As introduced, expands the definition of historic performing arts center to permit the sale of alcoholic beverages and wine at the Relix Variety Theatre located in the downtown north redevelopment zone of Knoxville. Amends TCA Section 57-4-102.

### **Senate Bill No. 1277** by Senator Ketron.

Land, Agricultural and Open Spaces -- As introduced, permits certain entities to limit the liability of a landowner to the entity for certain activities on the landowner's land. Amends TCA Title 70.

### **Senate Bill No. 1278** by Senator Ketron.

Sexual Offenses -- As introduced, makes a person who is charged with statutory rape by an authority figure ineligible for suspension of prosecution and pre-trial diversion. Amends TCA Title 40, Chapter 15.

### **Senate Bill No. 1279** by Senator Ketron.

Attorneys at Law -- As introduced, provides that if an attorney, post-conviction defender or district public defender in a criminal case is found to have provided ineffective assistance of counsel, that attorney cannot receive any further state funds for legal services until the attorney obtains continuing education, counseling or training that addresses the reason for the attorney being ineffective. Amends TCA Title 8 and Title 40.

### **Senate Bill No. 1280** by Senator Ketron.

Criminal Procedure -- As introduced, provides that no arrest warrant or criminal summons shall issue without the written approval of the applicable district attorney if the affiant knows the person to be arrested or summoned is a law enforcement officer. Amends TCA Title 40.

## MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 635 through 890** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

## **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 635** referred to the Committee on Transportation.

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**Senate Bill No. 636** referred to the Committee on State and Local Government.

**Senate Bill No. 637** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 638** referred to the Committee on State and Local Government.

**Senate Bill No. 639** referred to the Committee on Judiciary.

**Senate Bill No. 640** referred to the Committee on State and Local Government.

**Senate Bill No. 641** referred to the Committee on Judiciary.

**Senate Bill No. 642** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 643** referred to the Committee on Judiciary.

**Senate Bill No. 644** referred to the Committee on Judiciary.

**Senate Bill No. 645** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 646** referred to the Committee on Judiciary.

**Senate Bill No. 647** referred to the Committee on Judiciary.

**Senate Bill No. 648** referred to the Committee on Judiciary.

**Senate Bill No. 649** referred to the Committee on State and Local Government.

**Senate Bill No. 650** referred to the Committee on Transportation.

**Senate Bill No. 651** referred to the Committee on Judiciary.

**Senate Bill No. 652** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 653** referred to the Committee on Judiciary.

**Senate Bill No. 654** referred to the Committee on State and Local Government.

**Senate Bill No. 655** referred to the Committee on Judiciary.

**Senate Bill No. 656** referred to the Committee on Transportation.

**Senate Bill No. 657** referred to the Committee on Transportation.

**Senate Bill No. 658** referred to the Committee on Transportation.

**Senate Bill No. 659** referred to the Committee on Transportation.

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**Senate Bill No. 660** referred to the Committee on Transportation.

**Senate Bill No. 661** referred to the Committee on Transportation.

**Senate Bill No. 662** referred to the Committee on Transportation.

**Senate Bill No. 663** referred to the Committee on Transportation.

**Senate Bill No. 664** referred to the Committee on Transportation.

**Senate Bill No. 665** referred to the Committee on Transportation.

**Senate Bill No. 666** referred to the Committee on Transportation.

**Senate Bill No. 667** referred to the Committee on Transportation.

**Senate Bill No. 668** referred to the Committee on Transportation.

**Senate Bill No. 669** referred to the Committee on State and Local Government.

**Senate Bill No. 670** referred to the Committee on Transportation.

**Senate Bill No. 671** referred to the Committee on Transportation.

**Senate Bill No. 672** referred to the Committee on Transportation.

**Senate Bill No. 673** referred to the Committee on Transportation.

**Senate Bill No. 674** referred to the Committee on Transportation.

**Senate Bill No. 675** referred to the Committee on Transportation.

**Senate Bill No. 676** referred to the Committee on Transportation.

**Senate Bill No. 677** referred to the Committee on Transportation.

**Senate Bill No. 678** referred to the Committee on Transportation.

**Senate Bill No. 679** referred to the Committee on Transportation.

**Senate Bill No. 680** referred to the Committee on State and Local Government.

**Senate Bill No. 681** referred to the Committee on Education.

**Senate Bill No. 682** referred to the Committee on Judiciary.

**Senate Bill No. 683** referred to the Committee on Judiciary.

**Senate Bill No. 684** referred to the Committee on Transportation.

**Senate Bill No. 685** referred to the Committee on State and Local Government.

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**Senate Bill No. 686** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 687** referred to the Committee on State and Local Government.

**Senate Bill No. 688** referred to the Committee on Education.

**Senate Bill No. 689** referred to the Committee on State and Local Government.

**Senate Bill No. 690** referred to the Committee on Judiciary.

**Senate Bill No. 691** referred to the Committee on Judiciary.

**Senate Bill No. 692** referred to the Committee on Judiciary.

**Senate Bill No. 693** referred to the Committee on State and Local Government.

**Senate Bill No. 694** referred to the Committee on Judiciary.

**Senate Bill No. 695** referred to the Committee on Judiciary.

**Senate Bill No. 696** referred to the Committee on Judiciary.

**Senate Bill No. 697** Local bill -- held on desk.

**Senate Bill No. 698** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 699** referred to the Committee on Judiciary.

**Senate Bill No. 700** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 701** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 702** referred to the Committee on Transportation.

**Senate Bill No. 703** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 704** referred to the Committee on Transportation.

**Senate Bill No. 705** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 706** referred to the Committee on Judiciary.

**Senate Bill No. 707** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 708** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 709** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 710** referred to the Committee on Judiciary.

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**Senate Bill No. 711** referred to the Committee on Education.

**Senate Bill No. 712** referred to the Committee on Education.

**Senate Bill No. 713** referred to the Committee on Judiciary.

**Senate Bill No. 714** referred to the Committee on Education.

**Senate Bill No. 715** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 716** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 717** referred to the Committee on Education.

**Senate Bill No. 718** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 719** referred to the Committee on Judiciary.

**Senate Bill No. 720** referred to the Committee on State and Local Government.

**Senate Bill No. 721** referred to the Committee on Judiciary.

**Senate Bill No. 722** referred to the Committee on Judiciary.

**Senate Bill No. 723** referred to the Committee on State and Local Government.

**Senate Bill No. 724** referred to the Committee on Transportation.

**Senate Bill No. 725** referred to the Committee on State and Local Government.

**Senate Bill No. 726** referred to the Committee on Education.

**Senate Bill No. 727** referred to the Committee on Education.

**Senate Bill No. 728** referred to the Committee on Judiciary.

**Senate Bill No. 729** referred to the Committee on Judiciary.

**Senate Bill No. 730** referred to the Committee on State and Local Government.

**Senate Bill No. 731** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 732** referred to the Committee on Education.

**Senate Bill No. 733** referred to the Committee on State and Local Government.

**Senate Bill No. 734** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 735** referred to the Committee on Judiciary.

**Senate Bill No. 736** referred to the Committee on Transportation.

**Senate Bill No. 737** referred to the Committee on Judiciary.

**Senate Bill No. 738** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 739** referred to the Committee on State and Local Government.

**Senate Bill No. 740** referred to the Committee on Judiciary.

**Senate Bill No. 741** referred to the Committee on State and Local Government.

**Senate Bill No. 742** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 743** referred to the Committee on State and Local Government.

**Senate Bill No. 744** referred to the Committee on Education.

**Senate Bill No. 745** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 746** referred to the Committee on State and Local Government.

**Senate Bill No. 747** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 748** referred to the Committee on State and Local Government.

**Senate Bill No. 749** referred to the Committee on Education.

**Senate Bill No. 750** referred to the Committee on State and Local Government.

**Senate Bill No. 751** referred to the Committee on Education.

**Senate Bill No. 752** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 753** referred to the Committee on Environment, Conservation and Tourism.

**Senate Bill No. 754** referred to the Committee on Judiciary.

**Senate Bill No. 755** referred to the Committee on Judiciary.

**Senate Bill No. 756** referred to the Committee on State and Local Government.

**Senate Bill No. 757** referred to the Committee on Transportation.

**Senate Bill No. 758** referred to the Committee on Judiciary.

**Senate Bill No. 759** referred to the Committee on State and Local Government.

**Senate Bill No. 760** referred to the Committee on Education.

**Senate Bill No. 761** referred to the Committee on Transportation.

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**Senate Bill No. 762** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 763** referred to the Committee on Environment, Conservation and Tourism.

**Senate Bill No. 764** referred to the Committee on Judiciary.

**Senate Bill No. 765** referred to the Committee on Education.

**Senate Bill No. 766** referred to the Committee on Environment, Conservation and Tourism.

**Senate Bill No. 767** referred to the Committee on Judiciary.

**Senate Bill No. 768** referred to the Committee on State and Local Government.

**Senate Bill No. 769** referred to the Committee on State and Local Government.

**Senate Bill No. 770** referred to the Committee on Judiciary.

**Senate Bill No. 771** referred to the Committee on State and Local Government.

**Senate Bill No. 772** referred to the Committee on State and Local Government.

**Senate Bill No. 773** referred to the Committee on State and Local Government.

**Senate Bill No. 774** referred to the Committee on Education.

**Senate Bill No. 775** referred to the Committee on Judiciary.

**Senate Bill No. 776** referred to the Committee on Transportation.

**Senate Bill No. 777** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 778** referred to the Committee on State and Local Government.

**Senate Bill No. 779** referred to the Committee on Education.

**Senate Bill No. 780** referred to the Committee on Judiciary.

**Senate Bill No. 781** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 782** referred to the Committee on State and Local Government.

**Senate Bill No. 783** referred to the Committee on State and Local Government.

**Senate Bill No. 784** referred to the Committee on State and Local Government.

**Senate Bill No. 785** referred to the Committee on Judiciary.

**Senate Bill No. 786** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 787** referred to the Committee on Education.

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**Senate Bill No. 788** referred to the Committee on Education.

**Senate Bill No. 789** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 790** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 791** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 792** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 793** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 794** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 795** referred to the Committee on Judiciary.

**Senate Bill No. 796** referred to the Committee on Judiciary.

**Senate Bill No. 797** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 798** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 799** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 800** referred to the Committee on State and Local Government.

**Senate Bill No. 801** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 802** referred to the Committee on Judiciary.

**Senate Bill No. 803** referred to the Committee on Judiciary.

**Senate Bill No. 804** referred to the Committee on Education.

**Senate Bill No. 805** referred to the Committee on Judiciary.

**Senate Bill No. 806** Local bill -- held on desk.

**Senate Bill No. 807** referred to the Committee on State and Local Government.

**Senate Bill No. 808** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 809** referred to the Committee on Judiciary.



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**Senate Bill No. 810** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 811** referred to the Committee on Judiciary.

**Senate Bill No. 812** referred to the Committee on Judiciary.

**Senate Bill No. 813** referred to the Committee on Transportation.

**Senate Bill No. 814** referred to the Committee on Transportation.

**Senate Bill No. 815** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 816** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 817** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 818** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 819** referred to the Committee on Education.

**Senate Bill No. 820** referred to the Committee on Transportation.

**Senate Bill No. 821** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 822** referred to the Committee on State and Local Government.

**Senate Bill No. 823** referred to the Committee on Education.

**Senate Bill No. 824** referred to the Committee on Education.

**Senate Bill No. 825** referred to the Committee on Education.

**Senate Bill No. 826** referred to the Committee on Education.

**Senate Bill No. 827** referred to the Committee on Government Operations.

**Senate Bill No. 828** referred to the Committee on State and Local Government.

**Senate Bill No. 829** referred to the Committee on Environment, Conservation and Tourism.

**Senate Bill No. 830** referred to the Committee on State and Local Government.

**Senate Bill No. 831** referred to the Committee on Transportation.

**Senate Bill No. 832** referred to the Committee on Transportation.

**Senate Bill No. 833** referred to the Committee on Environment, Conservation and Tourism.

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**Senate Bill No. 834** referred to the Committee on Judiciary.

**Senate Bill No. 835** referred to the Committee on Transportation.

**Senate Bill No. 836** referred to the Committee on Environment, Conservation and Tourism.

**Senate Bill No. 837** referred to the Committee on Judiciary.

**Senate Bill No. 838** referred to the Committee on Judiciary.

**Senate Bill No. 839** referred to the Committee on Judiciary.

**Senate Bill No. 840** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 841** referred to the Committee on Education.

**Senate Bill No. 842** referred to the Committee on Transportation.

**Senate Bill No. 843** referred to the Committee on Education.

**Senate Bill No. 844** referred to the Committee on Education.

**Senate Bill No. 845** referred to the Committee on State and Local Government.

**Senate Bill No. 846** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 847** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 848** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 849** referred to the Committee on State and Local Government.

**Senate Bill No. 850** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 851** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 852** referred to the Committee on State and Local Government.

**Senate Bill No. 853** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 854** referred to the Committee on Education.

**Senate Bill No. 855** referred to the Committee on Education.

**Senate Bill No. 856** referred to the Committee on Judiciary.

**Senate Bill No. 857** referred to the Committee on Judiciary.

**Senate Bill No. 858** referred to the Committee on Judiciary.

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**Senate Bill No. 859** referred to the Committee on Judiciary.

**Senate Bill No. 860** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 861** referred to the Committee on Judiciary.

**Senate Bill No. 862** referred to the Committee on Judiciary.

**Senate Bill No. 863** referred to the Committee on Judiciary.

**Senate Bill No. 864** referred to the Committee on Judiciary.

**Senate Bill No. 865** referred to the Committee on Judiciary.

**Senate Bill No. 866** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 867** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 868** referred to the Committee on Judiciary.

**Senate Bill No. 869** referred to the Committee on Judiciary.

**Senate Bill No. 870** referred to the Committee on State and Local Government.

**Senate Bill No. 871** referred to the Committee on Transportation.

**Senate Bill No. 872** referred to the Committee on General Welfare, Health and Human Resources.

**Senate Bill No. 873** referred to the Committee on Education.

**Senate Bill No. 874** referred to the Committee on Education.

**Senate Bill No. 875** referred to the Committee on State and Local Government.

**Senate Bill No. 876** referred to the Committee on State and Local Government.

**Senate Bill No. 877** referred to the Committee on State and Local Government.

**Senate Bill No. 878** referred to the Committee on Transportation.

**Senate Bill No. 879** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 880** referred to the Committee on Education.

**Senate Bill No. 881** referred to the Committee on Education.

**Senate Bill No. 882** referred to the Committee on Education.

**Senate Bill No. 883** referred to the Committee on Judiciary.

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**Senate Bill No. 884** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 885** referred to the Committee on Judiciary.

**Senate Bill No. 886** referred to the Committee on Judiciary.

**Senate Bill No. 887** referred to the Committee on Judiciary.

**Senate Bill No. 888** referred to the Committee on Judiciary.

**Senate Bill No. 889** referred to the Committee on Judiciary.

**Senate Bill No. 890** referred to the Committee on Judiciary.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 80 through 86** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 80** by Senators Woodson, McNally, Crowe, Ford and Overbey. Naming and Designating -- "Youth Art Month", March 2011.

**Senate Joint Resolution No. 81** by Senator Finney. Memorials, Recognition -- Ernest Pounds, authored new book, "The Early History of Gibson County, Tennessee and Its Communities".

**Senate Joint Resolution No. 82** by Senator Finney. Memorials, Recognition -- Colonel Tommy H. Baker.

**Senate Joint Resolution No. 83** by Mr. Speaker Ramsey. Memorials, Heroism -- Bobby J. Nicholson.

**Senate Joint Resolution No. 84** by Mr. Speaker Ramsey. Memorials, Recognition -- Reverend Joseph William Byrd.

**Senate Joint Resolution No. 85** by Senator Berke. Memorials, Professional Achievement -- Alan L. Cates, Chattanooga Bar Association's Harry Weill Zealous Practice of Law Award.

**Senate Joint Resolution No. 86** by Senator Yager. General Assembly, Statement of Intent or Position -- Requests approval from Tennessee Valley Authority for construction of Campbell County Lighthouse Lodge and Convention Center.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 59 and 61**; and **Senate Joint Resolutions Nos. 75 through 78** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 59** -- Memorials, Recognition -- Walter Durham, 2010 Order of the Horse.

The Speaker announced that he had referred House Joint Resolution No. 59 to the Committee on Calendar.

**House Joint Resolution No. 61** -- Memorials, Personal Achievement -- Scott Brons, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 61 to the Committee on Calendar.

**Senate Joint Resolution No. 75** -- Memorials, Death -- Ray Bell.

The Speaker announced that he had referred Senate Joint Resolution No. 75 to the Committee on Calendar.

**Senate Joint Resolution No. 76** -- Constitutional Amendments -- Establishes independent redistricting commission for senatorial and representative districts.

The Speaker announced that he had referred Senate Joint Resolution No. 76 to the Committee on Judiciary.

**Senate Joint Resolution No. 77** -- Memorials, Professional Achievement -- Joyce Berry, 2010 National Postmaster of the Year award.

The Speaker announced that he had referred Senate Joint Resolution No. 77 to the Committee on Calendar.

**Senate Joint Resolution No. 78** -- General Assembly, Directed Studies -- Creates a special joint committee to study the feasibility of establishing a system to make certain health-related boards and commissions more autonomous.

The Speaker announced that he had referred Senate Joint Resolution No. 78 to the Committee on Delayed Bills.

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 52** -- Memorials, Recognition -- Bishop Felton M. Smith, Jr.

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**Senate Joint Resolution No. 56** -- Memorials, Death -- Doris Lovett.

**Senate Joint Resolution No. 57** -- Memorials, Recognition -- Frazier Elementary School, 2011 Blue Ribbon School nominee.

**Senate Joint Resolution No. 59** -- Memorials, Death -- Jennie Maxine Brown Harvey.

**Senate Joint Resolution No. 60** -- Memorials, Death -- Trudy Carpenter.

**Senate Joint Resolution No. 61** -- Memorials, Death -- Minna B. Andriulli.

**Senate Joint Resolution No. 62** -- Memorials, Death -- Tom J. Malone.

**Senate Joint Resolution No. 63** -- Memorials, Death -- Thomas Jackson Robinson.

**Senate Joint Resolution No. 64** -- Memorials, Recognition -- Tennessee "Polk Salad" Festival and Pageant.

**Senate Joint Resolution No. 65** -- Memorials, Recognition -- Dave Walker, 2010 Howard Schmertz Lifetime Achievement Award.

**Senate Joint Resolution No. 66** -- Memorials, Personal Occasion -- Clara Jewel Curd Hall Hughes, 90th birthday.

**Senate Joint Resolution No. 68** -- Memorials, Death -- Bill Emery.

**Senate Joint Resolution No. 69** -- Memorials, Death -- Walter Baker Harris.

**Senate Joint Resolution No. 70** -- Memorials, Recognition -- Susan Lodal, recipient of the 2010 C. Hal Henard Distinguished Service Award / School Board Member of the Year.

Senator Faulk moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**CONSENT CALENDAR NO. 2**

**Senate Bill No. 68** -- Emergency Communications Districts -- As introduced, authorizes the provision of emergency medical services by providers in contiguous counties in certain circumstances. Amends TCA Title 5; Title 12, Chapter 9; Title 58, Chapter 8 and Title 68, Chapter 140.

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Senator Faulk declared Rule 13 on **Senate Bill No. 68**.

**Senate Bill No. 78** -- County Officers -- As introduced, redesignates "county mayor" as "county executive" in Overton County. Amends TCA Section 5-6-101.

Senator Faulk moved that all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

**MOTION**

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 80** on the calendar for the Committee on State and Local Government for Tuesday, February 22, 2011, which motion prevailed.

**RECALL OF BILL**

On motion of Mr. Speaker Ramsey, **Senate Bill No. 259** was recalled from the Committee on Transportation.

**WITHDRAWAL OF BILL**

On motion of Mr. Speaker Ramsey, Senate Bill No. 259 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Gresham, **Senate Bill No. 876** was recalled from the Committee on State and Local Government.

**WITHDRAWAL OF BILL**

On motion of Senator Gresham, Senate Bill No. 876 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Tate, **Senate Bill No. 738** was recalled from the Committee on Finance, Ways and Means.

**WITHDRAWAL OF BILL**

On motion of Senator Tate, Senate Bill No. 738 was withdrawn from the Senate.

**MOTION**

On motion of Senators Marrero, Harper and Ford, their names were added as sponsors of **Senate Joint Resolution No. 52.**

On motion of Senator Ford, her name was added as sponsor of **Senate Bill No. 68; and Senate Joint Resolutions Nos. 64 and 70.**

On motion of Mr. Speaker Ramsey, his name was added as sponsor of **Senate Joint Resolution No. 65.**

On motion of Senator Kyle, his name was added as sponsor of **Senate Joint Resolution No. 68; and House Joint Resolution No. 48.**

On motion of Senators Henry and Herron, their names were added as sponsors of **Senate Joint Resolution No. 69.**

On motion of Senator Herron, his name was added as sponsor of **Senate Bill No. 77.**

On motion of Senator Haile, his name was added as sponsor of **Senate Bill No. 326.**

**ENGROSSED BILLS**

February 17, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 68 and 78, and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

February 17, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 52, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70 and 88; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

February 17, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 63, 65 and 68; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.



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**MESSAGE FROM THE HOUSE**

February 17, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 48, 49, 50, 73, 79 and 88; concurred in by the House.

JOE MCCORD,  
Chief Clerk.

**ENROLLED BILLS**

February 17, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 48, 49, 50, 73, 79 and 88; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**ENROLLED BILLS**

February 17, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolution No. 1, and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**SIGNED**

February 17, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 48, 49, 50, 73, 79 and 88.

**SIGNED**

February 17, 2011

The Speaker announced that he had signed the following: Senate Resolution No. 1.

**MESSAGE FROM THE HOUSE**

February 17, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 48, 49, 50, 73, 79 and 88; signed by the Speaker.

JOE MCCORD,  
Chief Clerk.

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**REPORT OF CHIEF ENGROSSING CLERK**

February 17, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 48, 49, 50, 73, 79 and 88; for his action.

M. SCOTT SLOAN,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

February 17, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 11, 14, 19, 22, 24, 26, 27, 28, 29, 31, 33, 34, 35, 47 and 51; with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 23, 2011: Senate Joint Resolutions Nos. 71, 75 and 77; and House Joint Resolutions Nos. 56, 59 and 61.

This the 17th day of February, 2011.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 23, 2011: Senate Bills Nos. 141, 144, 145, 179 and 325.

This the 17th day of February, 2011.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 23, 2011: Senate Bills Nos. 79 and 237.

This the 17th day of February, 2011.  
MIKE FAULK, Chairperson.

**THURSDAY, FEBRUARY 17, 2011 -- 7TH LEGISLATIVE DAY**

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 8:30 a.m., Wednesday, February 23, 2011, which motion prevailed.